

## SENATE.

WEDNESDAY, April 17, 1912.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. LODGE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

## LOSS OF STEAMER "TITANIC."

Mr. SMITH of Michigan. Mr. President, I ask unanimous consent to introduce the resolution I send to the desk. I ask that it be read and referred to the Committee on Commerce.

The VICE PRESIDENT. Without objection, the Secretary will read the resolution.

The Secretary read the resolution (S. Res. No. 282), as follows:

*Resolved*, That the Committee on Commerce, or a subcommittee thereof, is hereby authorized and directed to investigate the causes leading to the wreck of the White Star liner *Titanic*, with its attendant loss of life, so shocking to the civilized world.

*Resolved further*, That said committee or subcommittee is hereby empowered to summon witnesses, send for persons and papers, to administer oaths, and to take such testimony as may be necessary to determine the responsibility therefor, with a view to such legislation as may be necessary to prevent, as far as possible, any repetition of such a disaster.

*Resolved further*, That the committee shall inquire particularly into the number of lifeboats, life rafts, and life preservers, and other equipment for the protection of the passengers and crew; the number of persons aboard the *Titanic*, whether passengers or crew; and whether adequate inspections were made of such vessel, in view of the large number of American passengers travelling over a route commonly regarded as dangerous from icebergs; and whether it is feasible for Congress to take steps looking to an international agreement to secure the protection of sea traffic, including regulation of the size of ships and designation of routes.

*Resolved further*, That in the report of said committee it shall recommend such legislation as it shall deem expedient.

The VICE PRESIDENT. The resolution will be referred to the Committee on Commerce.

Mr. MARTINE of New Jersey. Mr. President, I hastily drew a resolution much in the same thought with the resolution which has just been presented by the Senator from Michigan [Mr. SMITH], and it is so hurriedly written that I ask permission to read it myself. I will say that the recently announced and most horrifying disaster to the steamship *Titanic*, whereby hundreds of lives were lost at sea, prompts my introduction of this resolution (S. Res. 284):

*Resolved*, That the President of the United States be, and is hereby, advised that the Senate would favor treaties with England, France, Germany, and other maritime Governments, with a view to directing the course of all vessels engaged in the carrying of passengers at sea. And, further, to confer as to all matters appertaining to the safety of such craft and passengers.

Permit me further to say, if I may, Mr. President, had the race for speed and the desire for greed not controlled the action of the owners and officers of the *Titanic*, this disaster would doubtless have been averted. Had the southern instead of the northern course been pursued in passage by this craft, a thousand homes in our land would have been saved this day of sadness and desolation. A few years ago the *La Bourgogne* went down in the same path and to the same fate. There has been no thought of change of path. Speed must be kept up at any sacrifice; Mammon must be satisfied.

Mr. President, sea navigation at best is hazardous. Hence I feel that every safeguard, not only in appliances, but also as to the course these great leviathans should pursue, is a fit and proper subject to command the attention of the governing authorities of every civilized country in the world.

Senators, let us act at once. True, we can not help the unfortunate souls who went to their watery graves; but lest another craft shall go to the bottom of the insatiable sea with her human cargo, I urge the passage of this resolution.

Something should be done; something can be done. As it is now, everyone who ships on these great craft takes a gambler's chance. Such a condition is a disgrace to our civilization. The passenger list of every steamship should be limited to her supply of life-saving apparatus. It can be done. Congress has full control over American shipping. Congress can control the shipping of every other nation by refusing to allow to enter in or depart from any American port vessels not so equipped. Will we not learn? We must enact a law, and even though it may seem burdensome such a law must be enforced.

I most respectfully, Mr. President, ask for the adoption of this resolution. My purpose is, as it plainly portrays, that the President, in connection with the great maritime nations of the world, may confer. They can annul the charter or the register of any vessel that fails to go in the path lined out. One hundred or two hundred miles farther south of the course, which would have taken the *Titanic* from 10 to 24 hours more, would

have saved hundreds of lives and thousands of mourning American hearts and millions of treasure.

Mr. SMITH of Michigan. Mr. President, my purpose in offering the resolution and its reference to the Committee on Commerce was prompted by the fact that the Committee on Commerce is now in session, and may take immediate jurisdiction of the resolution and make a prompt report thereon. It seemed to me that under the circumstances the resolution might appropriately go to that committee, and I wish the Senator from New Jersey would permit his resolution to go to the Committee on Commerce. We will report promptly, possibly this afternoon.

Mr. MARTINE of New Jersey. That is perfectly satisfactory to me. I have no other ambition than to relieve a situation which may possibly occur again to-morrow.

The VICE PRESIDENT. The Chair thought, from the reading of the resolution submitted by the Senator from New Jersey, that a more appropriate reference would be to the Committee on Foreign Relations.

Mr. SMITH of Michigan. I was speaking as a member of the Committee on Commerce, to which the first resolution would naturally go.

The VICE PRESIDENT. The other resolution, however, is quite different from this one.

Mr. LODGE. I think, as the resolution relates to the making of treaties, it should go to the Committee on Foreign Relations. It, of course, will have immediate action.

Mr. SHIPLEY. That is the distinction between the two resolutions. One naturally goes to the Committee on Commerce and the other naturally goes to the Committee on Foreign Relations.

Mr. SMITH of Michigan. The resolution which I introduced—

Mr. MARTINE of New Jersey. I will say, if the Senator will permit me, that after drawing the resolution I consulted with a senior Senator in this body. At first I thought of its reference to the Committee on Commerce, but at his suggestion I changed it. However, I am perfectly indifferent to what committee it may be referred, so long as we can accomplish something; and in God's name let us do something.

Mr. SMITH of Michigan. Mr. President, my resolution also contemplates the recommendation by the Committee on Commerce, after an investigation of the question, as to whether an international agreement could not be entered into which would be effective and far-reaching in such an emergency. If Senators are willing that the pending resolution shall go to the Committee on Commerce, I think I may say without any hesitation that they will report promptly their conclusions, and if there is any matter in the resolution which should appropriately go to the Committee on Foreign Relations I have no disposition whatever to deprive that committee, of which I am a member, of jurisdiction.

The VICE PRESIDENT. Without objection, the resolution offered by the Senator from New Jersey will be referred to the Committee on Commerce.

Mr. LODGE subsequently said: Mr. President, I made the point in regard to the resolution of the Senator from New Jersey [Mr. MARTINE] that as it clearly related to treaties and to the passage of a resolution requesting the President to make treaties with other powers for a certain purpose it should undoubtedly go to the Committee on Foreign Relations. I was called from the Senate to the telephone, and I have been informed since I returned that the resolution has gone to the Committee on Commerce. I think it ought clearly to go to the Committee on Foreign Relations, as it relates to treaties. The Committee on Commerce has jurisdiction of the legislation which is so well expressed in the resolution of the Senator from Michigan [Mr. SMITH], but I think the other resolution ought to go to the Committee on Foreign Relations.

The VICE PRESIDENT. The Chair agrees with the Senator from Massachusetts, but the Senate, by unanimous consent, referred the resolution of the Senator from New Jersey to the Committee on Commerce. That committee now has charge of it. It can be taken away from it, of course.

Mr. BACON. Mr. President—

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. Yes.

Mr. BACON. I venture to suggest that while the Senate acquiesced in the reference there was no formal unanimous consent. Certainly, if it had been asked, I should have objected, but the Senator from Michigan had asked that the resolution go to the Committee on Commerce, and there was no objection interposed. That amounted to an acquiescence, but it did not rise to the dignity, I respectfully suggest, of a unanimous-consent agreement, nor is it so binding as a unanimous consent. I wish to say that I had heard the objection made by the Senator from

Massachusetts in the first instance, but he being in the immediate neighborhood of the Senator from Michigan, I did not notice that he had left the Chamber, and when the Senator from Michigan repeated his motion I supposed it was with the acquiescence of the Senator from Massachusetts, or I myself should then have objected.

Mr. LODGE. I had supposed, Mr. President, when I was called from the Chamber that the resolution of the Senator from New Jersey was going to the Committee on Foreign Relations, with the acquiescence and approval of the Senator from New Jersey, who introduced it. I had supposed the matter settled, but that was my mistake, of course. It seems to me that it is a wrong reference.

The VICE PRESIDENT. The Chair put the question, as the Chair usually does on a matter of that kind. He did not actually first submit to the Senate the question whether they would agree to that reference by unanimous consent, but the Chair stated that, without objection, the reference would be made to the Committee on Commerce as requested.

Mr. LODGE. I understand.

The VICE PRESIDENT. The Chair thinks that the resolution is now so referred, but the Chair thinks it was improperly so referred.

Mr. BACON. I suggest to the Senator from Massachusetts that he can move to reconsider that action.

Mr. LODGE. I ask, then, that the action be reconsidered, and that the resolution be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts?

Mr. SMITH of Michigan. Mr. President, I do not desire to deprive the Committee on Foreign Relations of jurisdiction over the resolution of the Senator from New Jersey. In the resolutions which I introduced occurs this sentence:

And whether it is feasible for Congress to take steps looking to an international agreement to secure the protection of sea traffic.

That provision related to the practical aspect of a question over which the Committee on Commerce has undoubted jurisdiction. I do not desire to insist that the resolution of the Senator from New Jersey go to the Committee on Commerce, but I am perfectly willing, if the Senator from New Jersey is agreeable, that the action be reconsidered and that the resolution of the Senator go to the Committee on Foreign Relations.

Mr. MARTINE of New Jersey. I am quite agreeable to that.

The VICE PRESIDENT. No objection is heard, and an order is therefore entered changing the reference of the resolution from the Committee on Commerce to the Committee on Foreign Relations.

#### MOTOR AND OTHER VEHICLES IN GOVERNMENT SERVICE (S. DOC. NO. 570).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of the 25th ultimo, the number of carriages, motor vehicles, etc., owned and operated by the Government and used by the Department of Agriculture, which was referred to the Committee on Appropriations and ordered to be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 254) congratulating the people of China on their assumption of the powers, duties, and responsibilities, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 14083) to create a new division of the southern judicial district of Texas, and to provide for terms of court at Corpus Christi, Tex., and for a clerk of said court, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CLAYTON, Mr. WEBB, and Mr. NYE managers at the conference on the part of the House.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolutions, and they were thereupon signed by the Vice President:

S. 2577. An act authorizing the lease of school lands for public-park purposes by the State of Washington for a longer period than five years;

S. J. Res. 77. Joint resolution authorizing the Secretary of War to loan certain tents for the use of the Grand Army of the

Republic encampment, to be held at Pullman, Wash., in June, 1912;

S. J. Res. 87. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Messrs. Humberto Menca and Juan Dawson, of Salvador; and

S. J. Res. 91. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Mr. Manuel Aguerro y Junque, of Cuba.

#### PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented petitions of the congregations of the Methodist Episcopal Church of Ludlow, Ill.; the United Presbyterian Church of Whitingville, Mass.; the Methodist Episcopal Church of Whitingville, Mass.; and of the Woman's Christian Temperance Unions of Westboro, Mass., and Middletown, N. Y., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which were referred to the Committee on the Judiciary.

Mr. SMITH of Maryland presented a memorial of sundry citizens of Baltimore, Curtis Bay, and Oxford, all in the State of Maryland, remonstrating against the establishment of a department of health, which was ordered to lie on the table.

Mr. CULLOM presented a petition of the Woman's Christian Temperance Union, of Sannemin, Ill., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented a petition of Allyn K. Capron Camp, No. 6, United Spanish War Veterans, Department of Illinois, of Chicago, Ill., praying for the enactment of legislation to pension widow and minor children of any officer or enlisted man who served in the War with Spain or the Philippine insurrection, which was referred to the Committee on Pensions.

Mr. JONES. I present telegrams in the nature of memorials, protesting against the passage of the Owen medical bill. I should like to have the signatures noted in the Record, and the telegrams to lie on the table.

There being no objection, the telegrams were ordered to lie on the table and the signatures to be noted in the Record, as follows:

From G. A. Haggerty, of Raymond, Wash.; Sylvester Bros., wholesale grocers, of Seattle, Wash.; J. A. Lee, North Street grocery, of Seattle, Wash.; George W. Seal, of Colville, Wash.; G. E. Sanderson, Jay D. Cray, E. C. Miller, S. M. Anderson, W. O. McCaw, Cadill T. Smith, A. W. Barkley, and H. N. Anderson, of Aberdeen, Wash.; F. T. Evans, secretary board of trustees of the Divine Science Church and College, of Seattle, Wash.; John B. Slater, of Colville, Wash.; V. J. Knapp and Mrs. V. J. Knapp, of Anacortes, Wash.; Washington Branch National League for Medical Freedom, of Seattle, Wash.; Gilbert Hunt, of Walla Walla, Wash.; Dr. G. A. R. Steiner, of Seattle, Wash.; Frank S. Smith, of Seattle, Wash.; the Union Timber Co., the Anderson & Middleton Timber Co., of Aberdeen, Wash., and of S. M. Anderson, president of the Bay City Lumber Co., of Aberdeen, Wash.

Mr. JONES. I also present a letter, telegrams, and a resolution adopted by the board of trustees of the Tacoma Commercial Club and Chamber of Commerce with reference to the Borah-Jones homestead bill now in conference. I should like to have the signatures to the telegrams noted.

There being no objection, the signatures to the telegrams were ordered to be noted in the Record, as follows:

From O. F. Erickson, chairman, P. O. Peterson, secretary, of the Homesteaders' Club, of Joplin, Mont.; 30 settlers at Lothair, Mont.; business men of Joplin, Mont., and 55 new settlers; 118 voters of Hinkham, Mont.; 50 settlers of Gilford, Mont.; E. A. Potter, F. O. Vandewalker, Ira L. MacLaren, Charles W. Vandewalker, W. C. Smith, of Spokane, Wash.

The VICE PRESIDENT. Does the Senator from Washington desire to have the petitions referred to the conference committee having the matter in charge?

Mr. JONES. Yes.

The VICE PRESIDENT. That will be the reference, without objection.

Mr. WARREN. I ask the Senator if it would not answer his purpose as well to send the telegrams to the Committee on Public Lands. I do not think we are quite permitted to take matters to a conference committee, where the managers on the part of the House and the managers on the part of the Senate will meet, except where material comes to them through the committees which the conferees represent. I should prefer to have it go to the Committee on Public Lands first.

Mr. JONES. I have no objection to that course.

The VICE PRESIDENT. Without objection, the reference will be to the Committee on Public Lands; and without objection, the letter sent to the desk by the Senator from Washington will be read.



There being no objection, the letter was read and referred to the Committee on Public Lands, as follows:

SPOKANE, WASH., April 12, 1912.

Hon. WESLEY L. JONES,  
United States Senate, Washington, D. C.

DEAR SIR: With a number of friends and acquaintances, I have just signed a telegram to you urging the passage of the pending homestead bill.

I resigned an important position with an eastern college last September and came West, expecting to select a homestead, with the intention of making it my permanent home. I have been appalled, however, at the experiences and hardships of those who are trying to make homes on Government land under existing laws. Where residence is required so continuously, without leave of absence, the health of the women is in many cases seriously impaired, if not permanently undermined. This is more certain to occur wherever the land can not be made immediately productive, and the head of the family must seek employment elsewhere for large portions of the year, leaving the family alone in the wilderness.

The only prospect ahead of men who wish to get a home in this new country is to become a citizen of one of the Canadian Provinces, as thousands are doing. I dislike to leave my native land, however, and am writing to urge you to lend your influence in favor of the new homestead bill, which will allow five months' leave of absence each year and a total residence of only three years.

Very truly, yours,

IRA L. MACLAREN.

Mr. WARREN. I have five very brief telegrams from presidents and secretaries of associations relating to the liability act, and as they are very short I have selected those five and ask that they may be printed in the RECORD.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the RECORD, as follows:

CHEYENNE, WYO., April 5, 1912.

To the Hon. F. E. WARREN, C. D. CLARK, and F. W. MONDELL.

GENTLEMEN: At a regular session of Cheyenne Division, No. 128, Order of Railway Conductors, the secretary was instructed to write, asking you, if consistent, to vote for the following bills:

In the Senate, S. 5382, by Senator SUTHERLAND, and in the House, H. R. 20487, by Mr. BRANTLEY.

Cheyenne division has a membership of 98, and you know something of who they are, therefore we have no hesitancy in asking you to support this measure, for which we thank you in advance.

Yours, very truly,

[SEAL.]

R. W. RICH, Secretary.

CHEYENNE, WYO., April 11, 1912.

Hon. F. E. WARREN,  
United States Senate, Washington, D. C.:

By unanimously indorsing the principle of workmen's compensation we, members of Brotherhood of Railway Trainmen, Lodge No. 288, Cheyenne, kindly request you to use your influence in passage of Senate bill 5382, pertaining to Federal workmen's compensation bill now before the United States Senate. Thanking you in advance for your best efforts toward same.

WM. C. RATH, President No. 288.

SHERIDAN, WYO., April 7, 1912.

Hon. F. E. WARREN,  
Washington, D. C.:

The members of Division 624, Brotherhood of Locomotive Engineers, at Sheridan, request your support of Senate bill 5382.

Yours, truly,

E. L. MANSFIELD, Secretary Treasurer 624.

LARAMIE, WYO., April 10, 1912.

Senator F. E. WARREN,  
Washington, D. C.:

Division 103, Brotherhood of Locomotive Engineers, requests that you support compensation bill (S. 5382).

GEO. W. DEFRIEST, Secretary Treasurer.

UPPER SIDNEY, NEBR., April 7, 1912.

Senator WARREN,  
Senate Chamber, Washington, D. C.:

Cheyenne Division 115, Brotherhood of Locomotive Engineers, requests your support on Senate bill No. 5382.

J. C. WILLIAMS, Chief.

Mr. SHIVELY. I am in receipt of a large number of telegrams and letters in the way of petitions in favor of the Federal accident and liability bill, which is before the Senate. I have selected a few of them as typical, and I ask that they may be printed in the RECORD.

There being no objection, the telegrams and letters were ordered to lie on the table and to be printed in the RECORD, as follows:

MICHIGAN CITY, IND., April 8, 1912.

Hon. B. F. SHIVELY,  
Senate Chamber, Washington, D. C.:

On behalf of the Brotherhood of Railway Locomotive Engineers and the Trainmen of Michigan City divisions we urge that you support Senate bill 5382, the Federal accident compensation bill; railroad men of Indiana are vitally concerned in its passage.

JAMES MULQUEEN,  
Secretary Division 300, Brotherhood of Locomotive Engineers.

F. K. LEGGETT,  
Treasurer Brotherhood Railroad Trainmen Lodge 262.

INDIANAPOLIS, IND., April 8, 1912.

Hon. BENJAMIN F. SHIVELY,  
United States Senate, Washington, D. C.:

Inland City Lodge 374, Brotherhood of Railroad Trainmen, unanimously indorse the principles of the Federal workman's compensation bill No. 5382, and most earnestly request your favorable assistance in

securing the enactment of this proposed law. Not in years has our membership been so generally interested as in this Federal workman's compensation bill.

T. R. MCCAMPBELL,  
Treasurer Inland City Lodge 374.

TERRE HAUTE, IND., April 9, 1912.

Hon. B. F. SHIVELY,  
Washington, D. C.:

In behalf of the Brotherhood of Locomotive Engineers of the State of Indiana, as their legislative representative, I would most urgently ask for your most favorable consideration of the workmen's compensation bill.

W. R. BRANNON,  
Division No. 25.

FORT WAYNE, IND., April 8, 1912.

Hon. B. F. SHIVELY,  
Washington, D. C.:

Lodge No. 136 of the Brotherhood of Railroad Trainmen, consisting of over 700 members, earnestly request your support of Sutherland Senate bill.

C. M. PREBL, Secretary.

WASHINGTON, IND., April 10, 1912.

Senator B. F. SHIVELY,  
Washington, D. C.:

We sincerely ask you to support Senate bill No. 5382 if possible.

J. M. BLINE,  
Secretary Brotherhood of Railway Trainmen.

FORT WAYNE, IND., April 16, 1912.

Senator B. F. SHIVELY,  
Washington, D. C.:

Division 537, Brotherhood of Locomotive Engineers, requests you do all in your power to secure passage of Senate bill 5382.

H. L. REED, Secretary.

LOGANSFORD, IND., April 8, 1912.

Hon. B. F. SHIVELY,  
United States Senate, Washington, D. C.:

Please support Senate bill 5382 and House bill 20487, and oblige Division 612, Brotherhood of Locomotive Engineers; 45 members.

S. W. CURTIS.

GARRETT, IND., April 8, 1912.

Senator B. F. SHIVELY,  
Washington, D. C.:

C. N. Bell Lodge, No. 158, Brotherhood of Railway Trainmen, asks you to support House bill No. 20487.

W. E. SARGENT, Secretary No. 158.

BROTHERHOOD OF RAILROAD TRAINMEN,  
Logansport, Ind., April 8, 1912.

Hon. B. F. SHIVELY,  
Washington, D. C.:

DEAR SIR: On behalf of the membership of the Brotherhood of Railroad Trainmen, we earnestly request that you work for the passage of the workmen's compensation bill, being Senate bill No. 5382.

We assure you that we voice the sentiment of our people when we say that no legislation for many years has promoted the personal welfare of railway employees as this promises to do. Nor are the advantages confined to the employees, but will be a matter of economy to the transportation company.

Kindly give this matter your immediate and favorable consideration, and oblige,

Yours, very respectfully,

W. W. HACKETT, Vice President.  
T. M. BANTZ, Treasurer.  
J. A. ZANGER.

BROTHERHOOD OF RAILROAD TRAINMEN,  
A. G. AMSDEN LODGE, No. 23,  
Elkhart, Ind., April 8, 1912.

Hon. B. F. SHIVELY,  
Washington, D. C.:

DEAR SIR: A. G. Amsden Lodge, No. 23, Brotherhood of Railroad Trainmen, located at Elkhart, Ind., and having a membership of 300 members, requests that you use your influence toward the passage of the Federal compensation act (No. 5382), which was introduced in the Senate by Mr. SUTHERLAND, of Utah.

Our membership feels that this bill is the most important legislation in our favor that has been introduced in a number of years, and therefore asks your favorable assistance toward its passage.

Respectfully,

[SEAL.]

B. N. DALEE,  
Secretary Lodge No. 23, Brotherhood of Railroad Trainmen,  
157 South Main Street, Elkhart, Ind.

BROTHERHOOD OF RAILROAD TRAINMEN,  
HOOSIER LODGE, No. 261,  
Indianapolis, Ind., April 7, 1912.

Hon. B. F. SHIVELY, Senator.

DEAR SIR: In behalf of the members of the Brotherhood of Railroad Trainmen under the jurisdiction of this lodge, numbering 510 members, action was taken at a regular meeting held in Moose Hall, Indianapolis, Ind., March 31, instructing me to urgently request that you give your earnest support to the workmen's compensation bill, introduced in the Senate by the Hon. Senator SUTHERLAND and known as Senate bill No. 5382.

This bill has been given serious consideration by this lodge at a number of readings; it has been discussed at some length, and while the amounts specified in the bill are not as large as we think they should be, we believe it is a step in the right direction. We firmly believe it will be the cause of universal good among our craft, the knowledge and certainty that we get the stipulated amount according to the nature of the injury, without the expensive and sometimes very slow legal remedies, will be a source of general satisfaction if enacted into law.

We earnestly hope you will see fit to support this bill and do your best to place it on the Federal statute books. Thanking you in advance, I beg to remain,  
Yours, very truly,

E. H. STEWART,  
Secretary Lodge 261, Brotherhood of Railroad Trainmen,  
1225 Harlan Street, Indianapolis, Ind.

BROTHERHOOD OF LOCOMOTIVE ENGINEERS,  
JOHN HILL DIVISION No. 248,  
Elkhart, Ind., March 19, 1912.

Hon. B. F. SHIVELY,  
United States Senate, Washington, D. C.

DEAR SIR: Two hundred locomotive engineers, citizens of your State, respectfully request you to support the Sutherland Senate bill on workmen's compensation.

Hoping to hear a favorable report from you in this matter, I remain,  
Yours, truly,

[SEAL.] JAMES H. CALKINS, Secretary-Treasurer.

LOGAN DIVISION, No. 110,  
ORDER OF RAILWAY CONDUCTORS OF AMERICA,  
Logansport, Ind., March 23, 1912.

Mr. B. F. SHIVELY, United States Senator.

DEAR SIR: At to-day's meeting of Logan Division 110, Order Railway Conductors, I was instructed, by unanimous vote, to ask you to vote for the passage of the employees' liability and compensation act.

Thanking you in advance.

Yours, respectfully,

[SEAL.] F. M. PENCE, Secretary.  
1425 Market Street, Logansport, Ind.

RICHMOND LODGE, No. 575,  
BROTHERHOOD OF RAILROAD TRAINMEN,  
April 10, 1912.

Mr. B. F. SHIVELY, Washington, D. C.

DEAR SIR: The 165 members of Richmond Lodge 575, Brotherhood of Railroad Trainmen, are unanimously in favor of the Federal accident compensation act introduced by Senator SUTHERLAND and known as No. 5382.

Hoping you can favor us with your support, I remain,

Respectfully, yours,

G. M. DEVALLE,  
114 North Fourteenth Street, Richmond, Ind.

W. W. PEABODY LODGE, No. 165,  
BROTHERHOOD OF RAILROAD TRAINMEN,  
Washington, Ind., April 7, 1912.

Mr. BENJAMIN F. SHIVELY,  
Senator from Indiana.

DEAR SIR: We, the undersigned members of W. W. Peabody Lodge, No. 165, Brotherhood of Railroad Trainmen, ask your assistance in passing workmen's compensation law, Senate bill 5382, in this sitting of Congress.

We feel that a bill such as the workmen's compensation law is one that we should have, and hoping and trusting that you gentlemen will give this matter your undivided and prompt attention in securing the passage of this bill, we beg to remain,

Respectfully, yours,

JOHN BLINE, Secretary.

ATLANTIC DIVISION, No. 120,  
ORDER OF RAILWAY CONDUCTORS,  
Huntington, Ind., April 15, 1912.

Hon. B. F. SHIVELY, Washington, D. C.

MY DEAR SENATOR: Atlantic Division 120, Order of Railway Conductors, of Huntington, Ind., has voted favorably on Senate bill 5382, and I am instructed to inform you that it is the will of this division that you vote for and use your influence for the passage of this bill, thereby conferring a favor on this division and the railroad men of your district.

Yours, truly,

E. C. SMITH, Secretary.

Mr. SHIVELY presented a memorial of sundry citizens of New Paris, Ind., remonstrating against the enactment of legislation to permit the coloring of oleomargarine in imitation of butter, which was referred to the Committee on Agriculture and Forestry.

Mr. ASHURST. I am also in receipt of a great number of telegrams and letters soliciting my support and vote for the workmen's compensation bill, being Senate bill 5382. I have selected a few, and I ask permission to incorporate them in the RECORD.

There being no objection, the matter referred to was ordered to lie on the table and to be printed in the RECORD, as follows:

WINSLOW, ARIZ., April 6, 1912.

Hon. HENRY F. ASHURST,  
Care United States Senate, Washington, D. C.:

Your support to Senate bill No. 5382 is requested by Brotherhood of Locomotive Engineers, No. 134, Winslow, Ariz.

M. J. PHARES, Secretary.

WINSLOW, ARIZ., April 7, 1912.

H. F. ASHURST,  
Care United States Senate, Washington, D. C.:

We, as a body of Brotherhood of Railway Trainmen, earnestly request you do all in your power to have Senate bill No. 5382 passed.

GEORGE HILL,  
President Brotherhood of Railway Trainmen, No. 477.

WINSLOW, ARIZ., April 6, 1912.

H. F. ASHURST:

Your support of Senate bill No. 5382 is requested by Brotherhood of Locomotive Engineers, No. 134, Winslow, Ariz.

N. J. FORREST.

SAN XAVIER DIVISION, No. 313,  
ORDER OF RAILWAY CONDUCTORS OF AMERICA,  
Tucson, Ariz., April 1, 1912.

HENRY F. ASHURST.

DEAR SIR: Division No. 313 of the Order of Railway Conductors of America has instructed me to address a communication to you respectfully requesting that you support the bill that has been introduced in Senate as S. 5382, by Senator SUTHERLAND, who was chairman of the committee appointed to secure an equitable workman's compensation law; and in the House as H. R. 20487, by Mr. BRANTLEY, vice chairman.

Our joint national representative, Mr. H. E. Wills, who is now in Washington, will explain to you more fully the time, labor, and expense that the labor organizations have been to in getting these bills introduced. He not only represents the Order of Railway Conductors, but the Brotherhood of Locomotive Engineers and the Brotherhood of Railway Trainmen as well, and we would deem it as a special favor if you would make an effort to become acquainted with Mr. Wills.

Trusting that you will give this matter your attention and favorable consideration, we are,

Yours, truly,

SAN XAVIER DIVISION No. 313,  
By C. F. DAVANT, Secretary and Treasurer.

DEWEY LODGE, No. 460,  
BROTHERHOOD OF RAILROAD TRAINMEN,  
Tucson, Ariz., April 4, 1912.

Mr. HENRY ASHURST,  
Washington, D. C.

DEAR SIR: The members of this lodge are anxious for the passage of the bill introduced in the Senate as S. 5382 by Senator SUTHERLAND and in the House as H. R. 20487 by Mr. BRANTLEY, and any assistance you may give in the passage of these bills will be highly appreciated by the members of this lodge. Thanking you in advance,

Respectfully,

[SEAL.]

J. H. HIGHBAUGH,  
Secretary 460, Brotherhood of Railroad Trainmen.

Mr. ASHURST presented a petition of the Nogales and Santa Cruz County Board of Trade, of Santa Cruz County, Ariz., praying for the enactment of legislation providing for the preservation of the Tumacacori Mission Church, in Santa Cruz County, Ariz., which was referred to the Committee on Public Lands.

He also presented a petition of the Chamber of Commerce of Prescott, Ariz., praying for the establishment of a division of the district court at Prescott, Tucson, Globe, and Phoenix, in that State, which was referred to the Committee on the Judiciary.

Mr. KERN. I have a large number of telegrams relating to Senate bill No. 5382—the workmen's compensation bill. I ask that the telegrams be printed in the RECORD and properly referred.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the RECORD, as follows:

WASHINGTON, IND., April 8, 1912.

Senator JOHN W. KERN,

Senate Chamber, Washington, D. C.:

Vincennes Division, No. 289, Brotherhood of Locomotive Engineers, requests your support of Senate bill No. 5382. This division, with a membership of 74, indorses bill unanimously.

BYRON ROBINSON, Chief Engineer.

LOGANSFORT, IND., April 8, 1912.

Hon. J. W. KERN,

U. S. Senate, Washington, D. C.

Please support Senate bill 5382 and House bill 20487 and oblige Division 612, Brotherhood of Locomotive Engineers, 45 members.

S. W. CURTIS.

INDIANAPOLIS, IND., April 8, 1912.

Hon. JOHN W. KERN,

Care United States Senate, Washington, D. C.:

Inland City Lodge, 374, Brotherhood of Railroad Trainmen, unanimously indorse the principles of the Federal workmen's compensation bill, No. 5382, and most earnestly request your favorable assistance in securing the enactment of this proposed law. Not in years has our membership been so generally interested as in this Federal workman's compensation bill.

T. R. McCAMPBELL,  
Treasurer Inland City Lodge, 374.

WASHINGTON, IND., April 10, 1912.

Hon. JOHN W. KERN,

Washington, D. C.:

We sincerely ask you to support Senate bill No. 5382, if possible.

J. M. BLINE,  
Secretary Brotherhood of Railroad Trainmen, 165.

TERRE HAUTE, IND., April 6, 1912.

JOHN W. KERN,

United States Senate, Washington, D. C.:

Division 754, Brotherhood of Locomotive Engineers, heartily indorse Senate bill No. 5382. Please support.

W. R. BARNES.

MICHIGAN CITY, IND., April 8, 1912.

Hon. JOHN W. KERN,

Senate Chamber, Washington, D. C.:

On behalf of the Brotherhood of Railway Locomotive Engineers and the Trainmen of Michigan City Divisions, we urge that you support Senate bill 5382, the Federal accident compensation bill. Railroad men of Indiana are vitally concerned in its passage.

JAMES MULQUEEN,  
Secretary Division 300, Brotherhood of Locomotive Engineers.  
F. K. LEGGETT,  
Treasurer Brotherhood Railroad Trainmen, Lodge 262.



PERU, IND., April 8, 1912.

Hon. JOHN W. KERN,  
Washington, D. C.:Division 548, Brotherhood of Locomotive Engineers, 195 members,  
request your support of Senate bill No. 5382.C. J. RIPPLE,  
Chief Engineer.

Mr. CLAPP presented petitions of sundry citizens of Winona, Brainerd, and Duluth, all in the State of Minnesota, praying for the enactment of legislation providing for the construction of one of the proposed new battleships in the Brooklyn Navy Yard, which were referred to the Committee on Naval Affairs.

Mr. CRAWFORD presented a petition of sundry citizens of Leola, S. Dak., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. BROWN presented memorials of sundry citizens of Gibson, Gering, Scottsbluff, and Minatare, all in the State of Nebraska, remonstrating against any reduction of the duty on sugar, which were referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Wayne, Nebr., remonstrating against the enactment of legislation to permit the coloring of oleomargarine in imitation of butter, which was referred to the Committee on Agriculture and Forestry.

He also presented sundry affidavits in support of the bill (S. 5904) for the relief of the Victor White Coal Co., of Omaha, Nebr., which were referred to the Committee on Claims.

Mr. CATRON presented a petition of sundry citizens of Espanola, N. Mex., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of sundry business men of Santa Fe, N. Mex., remonstrating against the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. PENROSE presented petitions of Washington Camps, No. 312, of Houtzdale; No. 3, No. 703, No. 129, No. 293, and No. 704, of Philadelphia; No. 272, of Sayre; No. 780, of Lancaster; No. 35, of Mount Carmel; No. 677, of Kutztown; No. 784, of Flourtown; No. 129 and No. 265, of Ringtown; No. 400, of Gibson; No. 623, of Parsons; and No. 82, of Rockdale, all of the Patriotic Order Sons of America; of Local Councils No. 139, of Luzerne; No. 20, of Philadelphia; No. 963, of Siegfried; No. 167, of Uniontown; No. 404, of Valley View; No. 442, of Pittsburgh; No. 896, of Slocum; No. 973, of Penns Park; No. 45, of Plains; No. 60, of Dover; No. 204, of New Tripoli; No. 162, of Steelton; No. 115, of York; No. 900, of Spring City; No. 484, of Addison; No. 72, of Johnstown; No. 760, of Waynesboro; No. 310, of Cokeville; No. 700, of Johnstown; No. 828, of Frackville; No. 942, of Dalton; No. 211, of New Stanton; Pride of the Valley Council, of New Kensington; and No. 685, of Ferndale, all of the Junior Order United American Mechanics; and of A. K. Shaeffer, of Apollo, all in the State of Pennsylvania, praying for the enactment of legislation to further restrict immigration, which were ordered to lie on the table.

Mr. TOWNSEND presented a petition of sundry citizens of Addison, Mich., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. SMITH of South Carolina. On the same subject I present three telegrams, which I ask may be printed in the Record.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the Record, as follows:

ABBEVILLE, S. C., April 9, 1912.

Senator E. D. SMITH, Washington, D. C.

DEAR SIR: I herewith request you to give your hearty support to the employers' liability and workmen's compensation bill, which I believe, if made a law, will be to the best interest of the railroad man in this country.

Thanking you for your consideration, I am,  
Yours, very truly,

H. B. WILSON,  
Member Division No. 498,  
Brotherhood of Locomotive Engineers.

COLUMBIA, S. C., April 8, 1912.

Senator E. D. SMITH,  
Washington, D. C.:

Brotherhood of Railroad Trainmen, 312, unanimously voted for the passage of Senate bill 5382. Use your influence for passage of bill in behalf of Brotherhood of Railroad Trainmen, 312.

THOS. CALK, Treasurer 312.

FLORENCE, S. C., April 7, 1912.

Hon. ELLISON D. SMITH,  
United States Senate, Washington, D. C.:

The members of Division 265, Brotherhood Locomotive Engineers, Florence, S. C., respectfully ask you to support S. 5382.

A. H. HOLTER, Secretary.

Mr. O'GORMAN presented resolutions adopted by the Chamber of Commerce of New York favoring the opening of the Panama Canal to all tonnage, irrespective of ownership, which were referred to the Committee on Inter-oceanic Canals.

DEPARTMENT OF HEALTH.

Mr. WORKS. Mr. President, I desire to give notice that on Monday, the 29th of April, immediately after the close of the morning business, I will, with the permission of the Senate, submit some remarks upon Senate bill No. 1, commonly known as the Owen health-department bill.

In this connection, in view of what was said on the floor of the Senate yesterday as to who is opposing this measure, I desire to present two short telegrams, and I ask that they be read.

The VICE PRESIDENT. Without objection, the telegrams will be read.

The telegrams were read and ordered to lie on the table, as follows:

LOS ANGELES, CAL., April 16, 1912.

Hon. J. D. WORKS,  
Senate Chamber, Washington, D. C.:

The faculty and students of the Pacific College of Osteopathy desire to protest most emphatically against the passage of Senate bill No. 1, introduced by Senator OWEN, or any similar measure establishing a Federal department or bureau of health, believing that such legislation would seriously menace the future of osteopathy in this country.

CLEMENT A. WHITING, Sc. D. D. O.,  
Chairman of Faculty.

LOS ANGELES, CAL., April 16, 1912.

Hon. JOHN D. WORKS,  
Senate Chamber, Washington, D. C.:

Believing that the passage of Senate bill No. 1 would result in discrimination against the independent schools of healing in favor of the so-called regular school we, the faculty and students of the California Electric Medical College, do hereby vigorously protest against the passage of above bill or similar legislation seeking the establishing of a national department or bureau of health.

O. C. WELBOURN, A. M., M. D., President,  
J. A. MUNK, Dean, Former President,  
National Electric Medical Association.

REPORTS OF COMMITTEES.

Mr. McCUMBER, from the Committee on Pensions, to which were referred certain bills granting pensions and increase of pensions, submitted a report (No. 630), accompanied by a bill (S. 6384), granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and to certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 559. Martin Markeson.  
S. 799. Rebecca Strouther.  
S. 2525. Frederick S. Barrows, jr.  
S. 2850. Maggie Boutiette.  
S. 3301. William H. Hinkel.  
S. 3585. William C. Emison.  
S. 3601. William A. Hickok.  
S. 5216. William Quinlivan.  
S. 5655. Mary Meade Sands.  
S. 6023. Francis M. Tibbetts.  
S. 6326. William E. Bailey.

Mr. NELSON, from the Committee on Commerce, to which was referred the bill (H. R. 21960) to authorize the Port Arthur Pleasure Pier Co. to construct a bridge across the Sabine-Neches Canal, in front of the town of Port Arthur, reported it without amendment.

FUNERAL EXPENSES OF THE LATE SENATOR TAYLOR.

Mr. BRIGGS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 281, submitted by Mr. LEA on the 9th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the late Senator ROBERT L. TAYLOR, from the State of Tennessee, vouchers for the same to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

MISSOURI RIVER BRIDGE AT SOUTH SIOUX CITY.

Mr. NELSON. I am directed by the Committee on Commerce, to which was referred the bill (H. R. 21821) to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa, to report it without amendment. I call the attention of the senior Senator from Nebraska to the bill.

Mr. BROWN. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### LOSS OF STEAMER "TITANIC."

Mr. SMITH of Michigan subsequently said: I am directed by the Committee on Commerce, to which was referred Senate resolution 283, directing the Committee on Commerce to investigate the causes leading to the wreck of the White Star liner *Titanic*, to report it with an amendment, and I submit a report thereon. I ask unanimous consent for the present consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was to add at the end of the resolution the following:

And the expenses incurred by this investigation shall be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of said committee.

The amendment was agreed to.

The resolution (S. Res. 283) as amended was agreed to, as follows:

*Resolved*, That the Committee on Commerce, or a subcommittee thereof, is hereby authorized and directed to investigate the causes leading to the wreck of the White Star liner *Titanic*, with its attendant loss of life, so shocking to the civilized world.

*Resolved further*, That said committee or a subcommittee thereof is hereby empowered to summon witnesses, send for persons and papers, to administer oaths, and to take such testimony as may be necessary to determine the responsibility therefor, with a view to such legislation as may be necessary to prevent, as far as possible, any repetition of such a disaster.

*Resolved further*, That the committee shall inquire particularly into the number of lifeboats, life rafts, and life preservers, and other equipment for the protection of the passengers and crew; the number of persons aboard the *Titanic*, whether passengers or crew, and whether adequate inspections were made of such vessel, in view of the large number of American passengers traveling over a route commonly regarded as dangerous from icebergs; and whether it is feasible for Congress to take steps looking to an international agreement to secure the protection of sea traffic, including regulation of the size of ships and designation of routes.

*Resolved further*, That in the report of said committee it shall recommend such legislation as it shall deem expedient; and the expenses incurred by this investigation shall be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of said committee.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 6385) to regulate the taking or catching of sponges in the waters of the Gulf of Mexico and Straits of Florida, the landing, delivering, curing, selling, or disposing of the same, providing means of enforcement of same, and for other purposes; to the Committee on Fisheries.

By Mr. SMITH of Maryland:

A bill (S. 6386) to refund to William Henry, master of the steamship *Vedamore* the sum of \$300 erroneously paid by him as a fine (with accompanying paper); to the Committee on Claims.

By Mr. KERN:

A bill (S. 6387) granting an increase of pension to James H. Meekin (with accompanying papers); and

A bill (S. 6388) granting an increase of pension to Francis M. Hanes (with accompanying papers); to the Committee on Pensions.

A bill (S. 6389) for the relief of Richard Brady (with accompanying papers); to the Committee on Military Affairs.

By Mr. BROWN:

A bill (S. 6390) granting a pension to Rachel Ann Bovee; to the Committee on Pensions.

By Mr. BRIGGS:

A bill (S. 6391) for the relief of John W. Barriger et al.; to the Committee on Claims.

By Mr. PERKINS:

A bill (S. 6392) providing for the equipment of steamers with life-saving apparatus; to the Committee on Commerce.

By Mr. TOWNSEND:

A bill (S. 6393) granting an increase of pension to James W. Smith (with accompanying paper); and

A bill (S. 6394) granting an increase of pension to Alvord Peck; to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 6395) granting an increase of pension to Eliza T. Eastin (with accompanying paper);

A bill (S. 6396) granting an increase of pension to Howard Miller, alias Howard Mobley (with accompanying papers);

A bill (S. 6397) granting an increase of pension to William W. Gaines (with accompanying papers);

A bill (S. 6398) granting an increase of pension to Sidney Payne Smith (with accompanying papers); and

A bill (S. 6399) granting an increase of pension to Solomon Butler (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 6401) granting an increase of pension to James W. Lowrie; to the Committee on Pensions.

By Mr. GRONNA:

A bill (S. 6402) to authorize the issuance of absolute and unqualified patents to public lands in certain cases; to the Committee on Public Lands.

By Mr. CURTIS:

A bill (S. 6403) authorizing the Secretary of the Interior to set aside certain lands to be used as a sanitarium by the Order of Owls; to the Committee on Public Lands.

A bill (S. 6404) for the establishment of a new bureau in the Navy Department to be known as the Coast Guard Bureau; to the Committee on Naval Affairs.

(By request.) A bill (S. 6405) to authorize the condemnation of land along the Anacostia River, in the District of Columbia, necessary for the reclamation and development of the Anacostia River and Flats from the Anacostia Bridge to the District line; to the Committee on the District of Columbia.

By Mr. O'GORMAN:

A bill (S. 6406) for the relief of Edwin P. Andrus and others; to the Committee on Claims.

#### WIDOWS' PENSIONS.

Mr. JONES. When the general pension legislation was pending before the Senate I offered an amendment to the bill proposing to increase the pension of certain widows of the Civil War. The amendment received considerable support. The only opposition to it was based on the desire that it should not be attached to the bill then under consideration. I wish to offer a bill covering substantially that subject, and I trust the Pension Committee will give it early consideration.

The bill (S. 6400) increasing pensions of widows of the Civil War was read twice by its title and referred to the Committee on Pensions.

#### AMENDMENTS TO RIVER AND HARBOR BILL (H. R. 21477).

Mr. RAYNER submitted an amendment proposing to adjust and settle the loss sustained by the Lake Drummond Canal & Water Co. by reason of the purchase and opening of the Chesapeake and Albemarle Canal from Norfolk to the Albemarle Sound, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. LIPPITT (for Mr. OLIVER) submitted an amendment proposing to appropriate \$75,000 for a survey of a proposed waterway extending from the Ohio River at the mouth of the Beaver River, Pa., etc., intended to be proposed to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. CATRON submitted an amendment relative to a survey from Velarde, Mexico, to the sixth standard parallel south, New Mexico meridian, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. FOSTER submitted an amendment relative to a survey at the mouth of the Bayou St. John, Orleans Parish, La., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. BRIGGS submitted an amendment relative to the construction of necessary cut-offs in the Rahway River, N. J., etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

Mr. CRANE submitted an amendment relative to securing and maintaining a shelter harbor at Scituate, Mass., known as the Glades, and between that locality and the Hazards, intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

#### AMENDMENTS TO APPROPRIATION BILL.

Mr. HEYBURN submitted an amendment proposing to appropriate \$250,000 for the construction of new roads and the widening of the present roads in the Yellowstone National Park, in order to permit the use of automobiles therein, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.



Mr. McCUMBER submitted an amendment proposing to appropriate \$5,000 to pay the administrator of the estate of John W. West, deceased, out of any money standing to the credit of the Cherokee Nation of Indians, in full payment of the award made by the commission appointed under treaty with those Indians, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 20728), which was referred to the Committee on Indian Affairs and ordered to be printed.

#### OMNIBUS CLAIMS BILL.

Mr. BACON submitted two amendments intended to be proposed by him to the bill (H. R. 19115) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, which were referred to the Committee on Claims and ordered to be printed.

He also submitted two amendments intended to be proposed by him to the bill (H. R. 19115) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, which were ordered to be printed and, with accompanying papers, referred to the Committee on Claims.

Mr. CRANE submitted an amendment intended to be proposed by him to the bill (H. R. 19115) making appropriation for payment of certain claims in accordance with findings of the Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, which was referred to the Committee on Claims and ordered to be printed.

#### HEARINGS BEFORE THE COMMITTEE ON PATENTS.

Mr. BROWN submitted the following resolution (S. Res. 285), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Patents or any subcommittee thereof be, and is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee during the Sixty-second Congress, and to have the same printed for its use; and that such stenographer be paid out of the contingent fund of the Senate.

#### SYSTEM OF RURAL COOPERATIVE CREDIT.

Mr. McCUMBER. Mr. President, on the 28th of last month the Committee on Finance reported the joint resolution (S. J. Res. 75) to provide for the appointment of a commission to investigate the operations of cooperative land-mortgage banks and cooperative rural credit unions in other countries. I have two pamphlets, one giving an outline of the European cooperative credit systems relating to Germany (S. Doc. No. 574), and the other being a translation from the French, by Pauline Carter Biddle, on agricultural credit relating to the operations in France (S. Doc. No. 572). The pamphlets are very valuable in the consideration of this subject. I ask that they be printed each as a Senate document.

The VICE PRESIDENT. Without objection, an order therefor will be entered.

#### THE ALASKAN QUESTION (S. DOC. NO. 573).

Mr. NIXON. Mr. President, at the last session of the American Mining Congress some very interesting papers were read by Mr. George E. Baldwin and others relative to the general development of Alaska. The papers are instructive and interesting, and I ask that they be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

#### WORKMEN'S COMPENSATION AND EMPLOYERS' LIABILITY.

Mr. BACON. Mr. President, I ask leave to present a paper. On yesterday I stated the fact that I had received various communications from railroad employees in my State in regard to the compensation bill, as it is called, and that all of them, with one exception, were adverse to the passage of the bill, but that there was one organization in the State which had sent to me a communication asking me to favor the passage of the bill. Since then I have received from that organization another communication asking to withdraw their former request, and now making the request that I oppose the bill. It is a very conservative letter, and I ask that it may be read.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

Hon. A. O. BACON, SAVANNAH, GA., April 15, 1912.  
Senate Chamber, Washington, D. C.

DEAR SIR: Since our recent correspondence relative to Senate bill No. 5382 and House bill No. 20487, generally known as the Federal accident compensation bills, this division has, upon resolution, reconsidered its former action declaring itself in favor of the legislation.

Upon further consideration we find that the bills in their present shape, should they become a law, would work a hardship upon the victims of accident, and we beg to advise you that upon the bills now pending our action has been reversed. We are opposed to this proposed legislation, and as long as the bills contain the objectionable features now present in them, particularly the inadequate schedule of compensation provided, we respectfully request that you will use your endeavors to defeat it. However, we are favorable to legislation which would fix a fair and equitable rate of compensation between employer and employee in the event of accident to the employee in the discharge of his duty. Our opposition to the bills now pending is based solely upon the defective character of those measures. We believe that these measures can be amended to provide adequate protection to the workman and at the same time accord complete fairness to the employer. This we earnestly hope may be accomplished, and we trust you will work to this end; but the passage of the bills in their present condition would, we are convinced, be more hurtful than for them to fall of passage completely.

G. B. SONDELEY,  
Secretary and Treasurer.

Approved.

H. D. WILLIAMS, Chief Conductor.

Mr. ROOT. Mr. President, I have received a letter from the joint national legislative representative of the Brotherhood of Locomotive Engineers, the Brotherhood of Railroad Trainmen, and the Order of Railway Conductors, upon the same subject as the letter which has just been read. I ask that this letter, which is brief and temperate, may be read for the information of the Senate.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

CONGRESS HALL HOTEL,  
Washington, D. C., March 20, 1912.

DEAR SENATOR: There is now pending in the Senate S. 5382 and in the House H. R. 20487, known as "A bill to provide an exclusive remedy and compensation for accidental injuries resulting in disability or death to employees of common carriers by railroads engaged in interstate and foreign commerce or in the District of Columbia, and for other purposes."

This bill is the result of deliberation by a commission appointed under joint resolution for the purpose of consideration of this subject.

The organizations I am representing, namely, Brotherhood of Locomotive Engineers, Order of Railway Conductors, and Brotherhood of Railroad Trainmen, prepared and were active in aiding the passage of a resolution providing for the appointment of the commission who have made a report and recommended this bill. Through our influence one of our members was appointed a member of that commission.

The chief executives of the organizations I am representing, as well as myself, have given every phase of this question careful consideration, having attended the hearings, and have officially put ourselves and our organizations on record in favor of the pending bill.

Our members will be greatly benefited by the passage of this measure, and we earnestly desire your support of this legislation.

It is possible that some individual members of our organizations in some localities may be misled by false and misleading statements that have been circulated. These come, we think, from those who are personally interested in bringing damage suits, as it is a well-known fact that from 30 to 50 per cent of the amounts now recovered from railroads in damage suits is paid to claim attorneys.

The report of the commission, of which you have a copy, shows that the railroad employees will receive benefits of \$15,000,000 per annum under the proposed legislation, while under the present law they receive only \$10,085,000 per annum less the amount that goes to their attorneys. The \$15,000,000, as can be seen from the report, will be paid without detriment to the railroads.

The legislation will have a tendency to eliminate a great cause of friction between employer and employee and is recognized by those who have given it careful consideration to be a fair and just measure.

I wish to most respectfully ask that you give this matter your careful consideration and will be pleased if you will let me know your views on the subject.

I am, with respect, very truly, yours,

H. R. WILLS,  
Joint National Legislative Representative of Brotherhood of Locomotive Engineers, Order of Railway Conductors, and Brotherhood of Railroad Trainmen.

#### ELECTION OF SENATORS BY DIRECT VOTE.

Mr. CLARK of Wyoming. Mr. President, for a considerable time the conference committee of the two Houses have had under consideration the differences between the two Houses on the joint resolution (H. J. Res. 39) proposing an amendment to the Constitution for the election of Senators. I regret to say that the conference committee has been unable to come to any agreement. It is not my purpose to report the disagreement at this time, but to give the Senate notice that on Tuesday next that disagreement will be formally reported to the Senate. I give the notice now because of the widespread interest in the matter, so that Senators may know that the disagreement report will be made at the time I have stated, at which time the committee will also return the papers for such further action as the Senate may see proper to take.

MOTOR AND OTHER VEHICLES IN GOVERNMENT SERVICE (S. DOC. NO. 571).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with accompanying paper, referred to the Committee on Appropriations and ordered to be printed:

To the Senate:

I transmit herewith a report from the Acting Secretary of State supplying the information with respect to the Department

of State called for by the Senate resolution of March 25, 1912, concerning the number of carriages, vehicles, motor cycles, and automobiles now owned by the Government or maintained at Government expense in the executive departments, and the purpose for which each of these vehicles is used.

WM. H. TAFT.

THE WHITE HOUSE, April 15, 1912.

#### CONGRATULATIONS TO PEOPLE OF CHINA.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the amendment of the Senate No. 1 to the joint resolution (H. J. Res. 254) congratulating the people of China on their assumption of the powers, duties, and responsibilities of self-government, which was to strike out "Concurrent No. —" and insert "H. Con. Res. No. 50."

Mr. LODGE. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

#### REGULATION OF IMMIGRATION.

Mr. LODGE. I move that the Senate proceed to the consideration of the bill (S. 3175) to regulate the immigration of aliens to and the residence of aliens in the United States.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. DILLINGHAM. Mr. President, it is rather a startling fact that since the year 1860 we have admitted to this country about 23,000,000 aliens, known as immigrants. It is an equally startling fact that in the last 12 years we have admitted about 9,000,000; and when in the year 1907 we received the largest number ever received in any one year during our history, to wit, 1,285,000, the country was aroused, and Congress authorized the appointment of a commission to investigate the whole subject of immigration.

That commission entered upon the discharge of its duties and spent the better part of two years, perhaps longer, in accomplishing its work, and it has made a report to Congress, which is embraced in about 40 volumes, largely statistical. The reports of the commission upon the different subjects studied will be found in volumes 1 and 2, and it is in these volumes that the ordinary reader will be able to find the general results of the commission's work.

In them will be found reports based upon their study of medical examinations abroad, of immigrant aid societies, of alien criminality, of the immigration situation in Canada. They have had prepared a dictionary of races, which every Senator will be very glad to have in his library, as well as a review of immigration legislation; they investigated and made reports upon the white-slave traffic, steerage conditions, physical assimilation, congestion of immigrants in cities, immigrants in agriculture, occupation of parents and children, as well as upon other subjects not here enumerated. They made a thorough investigation of the effect of immigration upon 20 of the leading industries of the United States, selecting those which are the most important in their proportions, like coal, iron, steel, cotton, woolen, mining, and others.

In doing this they sent their agents into 200 of the most important industrial communities in the United States, and they came in contact with about 700,000 individuals who are employed in such industries. They also made 23,000 family studies, and the result of their work, as I have said, will be found in these reports.

The recommendations of the commission are substantially embodied in the bill now under consideration. But before examining the bill in detail I propose to discuss the general features of the immigration problem as they seem to me to affect the social, industrial, and political conditions in this country.

Mr. WILLIAMS. Mr. President—

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from Mississippi?

Mr. DILLINGHAM. Certainly.

Mr. WILLIAMS. I understood the Senator to say that the recommendations of the commission were substantially embodied in this bill. I have heard that one of the recommendations of the commission, and in my opinion the most important recommendation, the recommendation of a literacy test, is not embodied in this bill.

Mr. DILLINGHAM. That was embodied in the bill as I introduced it. The committee recommended to the Senate the elimination of that feature. I am not in favor of its elimination. I think it should remain a part of the measure, and I propose to address myself to that question before I complete my remarks.

Mr. WILLIAMS. I wanted to call attention to the fact that what I think and what I think the country thinks the most

important, significant, and beneficent part of the recommendation of the commission was left out of this bill.

Mr. LODGE. Will the Senator from Vermont allow me for a moment?

Mr. DILLINGHAM. Certainly.

Mr. LODGE. In reply to the Senator from Mississippi, I will state that the committee left it out of the bill simply because they thought it was a provision that should be in a separate measure and should not be included with the general administrative provisions. No action was taken in the committee as for or against the merits of the proposition. Personally, I have always favored it, and I favor it now. It was left out simply on the suggestion of certain members of the committee that it was better not to put it on the administration bills. We dropped it out and left it to the Senate to decide whether it should be put in or not.

Mr. WILLIAMS. I think that dropping it out was like dropping the rôle of Othello out of the play.

Mr. LODGE. I agree.

Mr. WILLIAMS. If we are to have it in a separate measure, we ought to know how soon we are to have the separate measure. Otherwise we ought to have it now.

Mr. LODGE. I agree with the Senator from Mississippi.

Mr. WILLIAMS. We ought to strike now.

Mr. DILLINGHAM. I agree with the Senator from Mississippi, and I hope it will be retained in the bill.

As I was saying when interrupted, I want to review some of the general features of the problem of immigration as they have been disclosed by the commission's investigation, in the hope that a thorough examination of them will lead to the conclusion which has been expressed by the Senator from Mississippi, that the educational test is, as the commission has found, the most feasible measure with which to meet the difficulties against which we have to contend.

We have to remember that in 1860 this was a Nation of only 31,000,000 people, but that the last census shows a population of ninety-two or ninety-three millions. The census also shows that the increase of population by immigration has been about 24 per cent—not over that—because of the large number of immigrants who return to their native countries, which may be stated in general to be about one-third of all who have been admitted; and also by the large birth rate in the United States. In other words, 76 per cent of the increase of population has been by birth and only 24 per cent by the admission of aliens.

In this connection it may be interesting to refer to the census reports to ascertain the number of those born abroad who have been residents of this country in each of the census years since 1860; and it is a remarkable fact that the proportion of those actually born abroad was larger in that year than it has been since. In 1860 the proportion of that class to the entire population of the country was 15.4 per cent; in 1870, 14.4 per cent; in 1880, 13.3 per cent; in 1890, 14.7 per cent; in 1900, 13.6 per cent; and in 1910, 14.5 per cent.

We must also, in view of the large and increasing numbers who have been coming to swell our population, study the reasons which have induced such immigration. Briefly stated, it is a recognition of the fact that the industrial conditions in this country are so much superior to the industrial conditions in the Old World that the more enterprising elements in the rural communities of Europe have been moved to action and have sought to improve their condition by coming to the United States. I need take no time to demonstrate that fact. Everything connected with the movement of immigration shows it—the difference in the wages here and abroad; the difference in the standards of living; the greater advantages here and the increased opportunities for advancement, both for parents and children, under American institutions.

This movement began prior to the close of the Civil War. The Pacific railroad, connecting the great East and the great West, had been projected, and the homestead act was in operation, and the great Northwest Territory had been opened to settlement. These facts were known abroad and, coupled with the fact that the United States had demonstrated the ability of a free people to maintain free institutions, a general movement was inaugurated which has greatly contributed to the development of the industries of the Nation. To understand the scope of such development and to find a reason for the increasing tide of immigrant aliens who have come to make their homes with us since the close of the War between the States, we have only to recall the fact that previous to that war, during almost two centuries of our colonial and national life, we had opened up only 2,000,000 farms, while in the 50 succeeding years we opened up 3,500,000 farms, and are now able to boast of an agricultural area as large as Great Britain and substantially the whole of Continental Europe, if we except Russia. What was



then an almost unoccupied territory is represented in this body to-day by Senators from 17 sovereign States.

The growth of railroad construction in the United States during the last 50 years is one of the marvelous events in the history of the world. During that period the mileage of such roads increased from 30,000 to 240,000 miles. The capital invested in railroads is now one-seventh of the entire wealth of the Nation, having reached the enormous sum of \$18,000,000,000. The labor of construction and the labor of operating the railroads had been a constant invitation to the enterprising alien who was seeking to better his condition.

What is true of agriculture, what is true of transportation, is also true of our manufactures. In 1860 we were at the foot of the list of manufacturing nations. The products of our mills were then only about \$2,000,000,000 in value annually. But in 1870 our industries were firmly established and our output equaled that of France. In 1880 our products equaled those of Great Britain. In 1890 they equaled the products of Great Britain and France combined. In 1900 they were greater than those of Great Britain, Germany, and France combined. We had become the largest manufacturing Nation in the world. In 1910 the products of our mills were \$7,000,000,000 greater in amount than there were 10 years ago.

With this unexampled growth in manufactures, in agriculture, and in transportation there has been a growth in the interstate commerce of the Nation. We are told by the statistician of the Government that the trade now existing between the States is greater in volume and in value than the entire foreign commerce of all the nations of the world combined.

I have said that during this period we have admitted 23,000,000 alien immigrants. Substantially two-thirds of them have remained to become a part of the great American public. All have come intelligently, with a definite purpose to improve their condition. They have come in answer to the enormous demands for labor in the development of American industries, and in the main have well performed their part. To a great extent they have become citizens of the United States, and they and their descendants have been assimilated and become part of the great American public.

It may be well for us at this point to consider the fact that there are two distinct classes of immigrants who have come to the country during this period. The Immigration Commission, in their reports, have designated them the old immigration and the new. The old immigration is that which predominated prior to 1882, in which year the tide flowing from the north and west of Europe, from England, Ireland, Scotland, Wales, the Scandinavian countries, Germany, France, and Holland, reached its height.

In the period between 1864 and 1882 we admitted of the old classes something over 6,000,000 immigrants, and 75 per cent of this entire number came from the Netherlands, France, the Scandinavian States, Germany, Great Britain, and Ireland. During that period 55.8 per cent of the whole went to the central division of the States, where agriculture predominated, and where expenditures, which stagger the comprehension, were being made in railroad construction and equipment, while only 31.1 per cent went to the Atlantic division of States, where manufacturing interests were more fully developed. During that period of activity nearly 80,000 miles of railroad were actually constructed, and this fact serves as an illustration of the increase and development along all the lines of production which called for labor and induced this great flow of immigration to our shores.

During the next period, between 1882 and 1910, conditions entirely changed. I have already called attention to the rapid advancement of the industries of the country after the close of the war, but that which followed was still greater. During the latter period capital invested in manufactures increased sevenfold, the wages paid to operatives and the product of our factories both increased fourfold. General prosperity prevailed throughout the country, cities increased rapidly in population and wealth.

Manufacturing, ordinarily, is conducted in the cities; or, if it is begun elsewhere, the manufacturing plants build up cities about them. As a result of the increase in production and trade, the urban population, which in 1890 was only 36.1 per cent of the whole, in 1910 was 46 per cent of the whole; and in the last 10 years the increase in the population in the cities has been 34.9 per cent, while that in the country has been only 11.1 per cent. Demands for labor came from every quarter. Great business undertakings were in evidence everywhere. I can not attempt to enumerate them, but may mention the fact that in the development of street railways a period of 17 years showed an increase of 223 per cent in the mileage of track and of 212 per cent in the number of men employed.

It is a significant fact that the prosperous conditions existing in this country are known abroad. When you remember that one-third of all who come from abroad return to Europe and disclose the difference between the conditions in the United States and those abroad, and that news travels from village to village with remarkable dispatch, you can understand why it is that those who are living in poverty and under hard conditions, but who are ambitious to improve their condition, become interested. Then, too, letters are constantly going from those who have employment in this country to their brothers, their fathers, and their friends, and when a letter is received in a European village it passes throughout the length and breadth of the place, everybody reads it, and the man there who is the pioneer in spirit and in instinct, the man who has courage to assume risks, is the man who hoards his small earnings and seeks the opportunity which conditions in the United States offer.

That immigration is the result of careful thought and preparation is illustrated by an incident connected with the debarkation at Ellis Island of 4,000 immigrants in a single day. I noticed that a large number of them had in their possession railroad tickets entitling them to transportation from New York to their several points of destination in the United States. It occurred to me that they must have come intelligently and with a definite purpose in view. In reply to an inquiry of Mr. Watchorn, who was then commissioner of the port, he informed me that while he could not give the exact number he was under the impression that 60 per cent of all whose destination was beyond New York had prepared in advance for such transportation from New York to those points in the United States where they expected to find their homes.

The next year he caused a record to be made of the number holding railroad tickets when arriving, and reported to me that 79 per cent of all the immigrants who were admitted and whose destination was beyond the city of New York were so supplied. This clearly indicates that they had been in correspondence with friends in the United States, that every detail of the journey had been arranged and provided for, and it indicated the further fact that when they reached their destination they were morally sure of employment. This assumption is verified by the fact that the official records of 1908 show that 94 per cent of all who were admitted during that year reported that they had come to join friends or relatives, which indicates the same fact, that the coming of all these different classes was the result of forethought and painstaking preparation.

But a still more potent argument to that effect is found in the statistics which are published by the Bureau of Immigration showing the number who enter the United States in each given year. An examination of those figures will show that in every period of industrial depression in this country the number of arrivals from abroad decreases. After the panic of 1857 the number decreased from 251,000 in that year to 153,000 in 1860. After the depression of 1873, when we were receiving 459,000, the number decreased until 1878, when the number admitted was only 138,000. Owing to the depression of 1892, which extended to 1898, the number coming decreased from 623,000 in 1892 to 229,000 in 1898.

Now, reverse the proposition. Take the prosperous periods in this country. In 1878 we were admitting only 138,000. In 1882 we were admitting 788,000. Again, take the period extending from 1898 to 1907. We were receiving in the first-named year only 229,000, and in 1907 we were receiving 1,285,000. All these facts go to show that the people who have come to cast their lot with us have come with a knowledge of existing conditions; that they have come intelligently and in the exercise of judgment based on facts.

The effect of business in this country upon the ebb and flow of immigration is clearly illustrated by the panic which came in 1907. As I have just said, we received in that year 1,285,000 immigrants. The panic came in October. By December it was known throughout Europe. In the year following December 1 we admitted only 573,000—less than half the number who came the year before, and of those already here 644,000 returned to Europe. In other words, the excess of departures over the admissions was 71,000 during that year. In 1908 we admitted 924,000, but 714,000 took their departure on account of depressed business conditions, and our net gain that year was only 209,000.

I have cited these facts to do away with what I think is the erroneous idea that the immigrants who have come to this country have been sent here by their governments, or that they have been dumped upon us without purpose and without reason on their part by the steamship companies, although I think the steamship companies are subject to criticism along certain lines.

Mr. BORAH. Mr. President, is it not true that the steamship companies and other organizations have representatives in

different parts of Europe organizing and bringing forward immigrants to this country constantly?

Mr. DILLINGHAM. It is true, and I will speak of that later on. I will say at this time, lest I forget it, that if the Senator will examine the report of the commission he will find that the agents of the steamship companies of Europe have large numbers of agents all through continental Europe, particularly in the rural districts, who are ticket sellers. Correspondence which fell into the hands of the commission has shown that to be the case. I remember that when in Budapest I saw letters in which instructions were given to those purchasing tickets how they were to escape from their country and how to make their way to the point of departure; that is, the point of departure of the steamer which they were to take. There is no question but what they have been very active, and the bill under consideration provides for meeting that evil.

When I spoke as I did regarding the large numbers coming to the United States during prosperous periods I had in mind the opinion which is prevalent in the country that the steamship companies have brought vast numbers that have been placed at their disposal by the governments of Europe and have simply dumped them in New York without knowledge or purpose on the part of the immigrants as to where they were going or what employment they would find. I do not think that such is the fact.

Mr. STONE. Mr. President, somewhat apropos, I should like to inquire of the Senator whether in his investigation he or his committee discovered whether large employers of labor, whether in manufacturing or in mining or any other industry, have been directly or indirectly instrumental in bringing foreigners across the sea for service or had held out inducements to them to come here to enter into our domestic industries.

Mr. DILLINGHAM. Mr. President, in answer to the inquiry of the Senator from Missouri I will say that there was very little evidence discoverable by the committee indicating any direct action by manufacturers or producers of the character he has mentioned. The very fact that we have a stringent statute against it, the very fact that the Bureau of Immigration are all the time watching for any infringement of that law and are executing the law according to its letter, precludes the possibility of manufacturers or producers employing any direct agency to secure the coming of any large number. But I do say to the Senator from Missouri that there is in my mind no doubt whatever but that a large number who come to this country—I might say a majority who come to this country—come upon information which convinces them that when they reach here they will have employment.

Mr. STONE. From whom?

Mr. DILLINGHAM. They get it from their brothers, their friends here. Take, for illustration, any manufacturing community in the United States. A man working there knows whether business is prosperous or not; he knows whether there is an adequate supply of labor and the prices that are paid. If he does not get it from the manufacturer himself, he gets it, we may say, by absorption, living under the conditions that he does. He writes to his friend to come; that wages are thus and so; that there is a demand for labor; and that he is sure of a job. He may go to the employer and say: "I have a brother or a cousin or an uncle who wants work, and if he comes over here I hope you will give him employment." In a brief way, I think, that explains the situation and the reason why so many come.

Mr. LODGE. If the Senator would not mind my saying a word—

Mr. DILLINGHAM. I would be very glad to hear the Senator.

Mr. LODGE. I agree entirely with what the Senator has been just saying. I have given a great deal of attention to the contract-labor law, and in times past I was on the committee to investigate it. I think that law is very thoroughly enforced, and that open contracts to bring laborers in here may be said not to exist. But in indirect ways, such as the Senator from Vermont has described, large numbers, many thousands, come to this country. They come in a way by which they are practically insured employment beforehand, and get it in the method the Senator from Vermont has pointed out.

Mr. DILLINGHAM. Mr. President, the most recent immigration, that which has been coming since 1882, has been increasingly an immigration from southeastern Europe and is distinctly different in type and character from that of the old immigration which came previous to 1882 principally from northwestern Europe. While many of the later immigrants are unskilled laborers, we have to say for them that they are the best of the class from which they come. It is the peasant class, but, as I said before, those coming are the individuals who have thrift and courage and enterprise enough to assume

the risk incident to such a change and the making of homes in the New World. They know the law relating to their admission into this country; they study it carefully, and unless they think they are sure to be admitted they do not ordinarily incur the risk of coming.

Now, I want to speak briefly regarding the quality of this new immigration.

I presume it is not known to everyone that there was no Federal immigration law previous to 1882. The old immigration law came in freely, without let or hindrance; but in 1882 the law was passed upon which we have been building ever since, until we have brought it up to its present degree of perfection. I look upon the present law as a good one, much better and more effective than people in general think it. Since 1882 the policy of the Government has been one of selection. While we have admitted aliens from all European countries, we have insisted that they shall be sound of body, sound in mind, and sound in morals, so far as we have been able to do so. The work of our immigration stations has been to see that this intention was carried into effect.

From 1899 to 1909, a period of 10 years, we admitted something over 8,000,000 aliens. Eighty-two and six-tenths per cent of that number were between 14 and 44 years of age—every one of them at an age to become self-sustaining. Twelve and three-tenths per cent of the whole number were under 14 years of age. Substantially all of these went into our common schools, as I will show before I have concluded my remarks. Only 5 per cent of the whole number admitted were over 45 years of age. Therefore those who came to us during that period of 10 years were not only sound in body and, so far as has been discovered, were sound of mind, and nearly 95 per cent of them were under 45 years of age.

The law excludes paupers, persons likely to become a public charge, professional beggars, persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and persons not comprehended within any of the foregoing excluded classes who are found to be, and are certified by the examining surgeons as being, mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such aliens in earning a living.

I do not know how that language can be made stronger. It is the provision of the act of 1907, which we carefully framed, in order to give the immigrant inspectors a broad discretionary power in debarring those who, in the absence of any specific disease, are so lacking in vitality that they are likely to become public charges.

We also reject those who have committed a felony or other crime or misdemeanor involving moral turpitude, polygamists, anarchists, prostitutes or women or girls coming to the United States for the purpose of prostitution or for other immoral purposes, and persons who attempt to bring in that class.

The question may be asked how we enforce these laws, and do we in fact keep out the physically unfit? The law of 1907 places the burden of that work largely upon the steamship companies, and that provision of the law has worked most admirably. It provides, in substance, that if any steamship company brings to this country idiots, imbeciles, insane persons, epileptics, those afflicted with tuberculosis or loathsome or dangerous contagious diseases, it shall be compelled to carry such persons back to Europe free of charge and pay the Government of the United States a fine of \$100 for each person of these classes rejected, provided the condition of those persons so rejected might have been discovered at the port of embarkation by a competent medical examination.

What has been the result of that law? In the 13 months following December 31, 1907, there were rejected at the ports of embarkation in Europe 27,799 intended immigrants as a result of the medical examination held at the expense of the steamship companies. Previous to that time the large numbers of rejections had operated badly upon the German nation. A large proportion of intended immigrants were coming on German lines, and their rejection at Bremen and at the other German ports left them stranded in German cities, to be cared for by the public authorities. To avoid this embarrassment the German Government established along its entire frontier from the south to the north what they call "control stations." At those control stations surgeons are located, and the expense of their maintenance is borne by the steamship companies. Immigrants coming from Russia or Austria or any of the adjoining countries into German territory to take passage, are examined at such control stations, and unless their physical condition is such that they can pass the American test, they are rejected and sent back to their homes.

In that one year there were sent back from those stations 11,882 persons, making in all that were rejected by the steamship companies during that period of 13 months 39,681 persons,



while we rejected at the American ports all told only 13,064; there were rejected for physical reasons during that period 52,745, but nearly 40,000 of them were rejected by the steamship companies under the operation of that law. Those rejected in 1910 at our ports were only 2 per cent of the arrivals, and those rejected in 1911 were 2.1 per cent.

So, when we have looked at the question from all these standpoints, it seems evident that those who have come to us represent a strong physical type; that 95 per cent of them are under 45 years of age; and that they come here with a purpose. These are the encouraging features of this question.

It is interesting to notice how the immigrants have been distributed during the different periods. Prior to 1880, as I have already remarked, 55.8 per cent went to the Central Division of the States and 31.1 per cent to the Atlantic. Between 1880 and 1900 the conditions were reversed. Instead of 55 per cent going to the central division only 29.3 per cent went there, and instead of only 31.1 per cent going to the Atlantic division, 61.9 per cent found their way there.

During the period of 12 years, from 1899 to 1912, we admitted substantially 9,000,000 immigrants; 70.2 per cent of them went to the Atlantic division of States, which are known as the manufacturing States; 24.2 per cent went to the central division of States; but one-half of that 24.2 per cent went to the States of Ohio and Illinois, which are manufacturing States. So it is safe to say, I think, that a vast majority of the 82 per cent of the whole number so coming came to seek employment in manufacturing, mining, or smelting industries of the United States.

Mr. BACON. Mr. President, will the Senator from Vermont permit me to ask him a question?

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from Georgia?

Mr. DILLINGHAM. I do.

Mr. BACON. What States does the Senator include in the Atlantic division?

Mr. DILLINGHAM. Those usually included in that division in the Government publications. That division takes in New England, New York, Pennsylvania, West Virginia, New Jersey, and so along south. I can not enumerate all of them.

Mr. BACON. The object of my asking is—

Mr. DILLINGHAM. I am taking the new census division.

Mr. BACON. I am asking for information.

Mr. DILLINGHAM. Yes.

Mr. BACON. Does the Senator in that classification include the South Atlantic States?

Mr. DILLINGHAM. Yes. Mr. President, allow me to make a correction. This computation was made upon the basis of those who went to the Atlantic division of States as given by the Census Bureau. I can not enumerate them all.

Mr. BACON. I am not criticizing the Senator in any sense. I am simply asking for information and wanting to suggest something which might be of interest to note, and that is that the classification might be very much more restricted than that which would be embraced in the use of the term "Atlantic States."

Mr. DILLINGHAM. By dividing the South and the North. Mr. BACON. For the reason that while the large immigration to which the Senator refers is included within the general classification of the "Atlantic States," it is almost entirely confined to the States north of Cape Henry; in other words, there is little or no immigration south of the Chesapeake entrance at Hampton Roads.

Mr. DILLINGHAM. I think the Senator is quite right in his statement.

Mr. BACON. So that it is a very much more limited area than the classification would indicate.

Mr. DILLINGHAM. Mr. President, it may be interesting as well as profitable for the Senate to consider how this immigrant class are employed. The investigations show—and I am very glad to state the fact—that substantially 36 per cent of the present immigration comes from the classes which constitute what we have called the old immigration, those coming from northwestern Europe, who are mostly skilled laborers, and who find their way into the higher grades of manufactures in the United States. But, on the other hand, the improved machinery in our manufactories, the new methods of mining, and the new methods of carrying on other productive industries, are such that a very much larger proportion of common labor can be employed than formerly.

The investigation of the commission covered 37 leading industries in the United States east of the Rocky Mountains, and in that investigation they came in contact with 619,595 individuals. Of that vast army of workmen, 55.9 per cent, almost 60 per cent, was foreign born. In the iron and steel industry 57.7 per cent were foreign born, and in slaughtering, meat packing, in

wool and worsteds, in coal, copper, leather, cotton goods, clothing, and silk goods, all taken together, 65.6 per cent of the employees were foreign born. I will not take the time to go through with the industries and show which nationality predominated or outnumbered the others in each particular one, but will come to some encouraging features in connection with the statement I have just made.

Mr. SMITH of South Carolina. Mr. President—

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from South Carolina?

Mr. DILLINGHAM. Gladly.

Mr. SMITH of South Carolina. I desire to ask if the figures given by the Senator relate to any particular section, or do they cover the entire country?

Mr. DILLINGHAM. They cover the 37 industries east of the Rocky Mountains which were investigated. The list of those industries can be found in the opening pages of the first volume of the commission's report, if the Senator cares to look at them.

In 37 of the large cities of the United States an investigation was made of the number of children of foreign-born parents in the public schools. The commission came in contact with 1,815,000 pupils, of which 57.8 per cent were children of foreign-born parents. They also investigated parochial schools in 24 cities and came in contact with 221,000 pupils, of which 63.5 per cent were children of foreign-born parents.

A remarkable suggestion is contained in the census report of 1900 from which it appears that in the year 1900 of those who remained in the public schools of the United States for a full six months' period were the following: 73.3 per cent of the children of native-born parents, 89.7 of children of foreign-born parents, and 90 per cent of foreign-born children; in other words, there was a much larger proportion of the children of foreign-born parents and of the foreign-born children themselves who took advantage of the public schools for the full term of six months than there were of the children of native-born parents, a fact which should be recognized and credit be given where it is due.

Mr. President, while there is much to encourage us in our examination of this subject, there is also much that requires thoughtful consideration. We must examine the trend of the latest immigration and discover what that portends. There is no question that the last great influx of immigration, that which has come since 1899, has come because of the increase in the manufactures and basic industries of the United States. I find that between 1900 and 1910 approximately 50,000 manufacturing establishments went into operation, covering 360 different industries, which gave employment where employment was not given previous to that time. In that connection Senators should remember that during that same period of 12 years 72 per cent of the immigration came from southeastern Europe, and of this—

Mr. O'GORMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from New York?

Mr. DILLINGHAM. Gladly.

Mr. O'GORMAN. Can the Senator from Vermont inform us as to the approximate number of workmen employed in the 50,000 additional manufacturing establishments inaugurated during the period covered by the Senator's statement?

Mr. DILLINGHAM. I am unable to do so. It could be easily ascertained, but I have not done it. I have stated that in the investigation of the commission we received direct information from about 620,000 employees. That would be a very interesting inquiry, and I am sorry that I neglected to secure that information.

When interrupted I was saying that of the 72 per cent of recent immigration which comes from southeastern Europe, 82 per cent of it has gone to the Atlantic division of States, and about 60 per cent of that number were common or farm laborers in the countries from which they came.

Mr. STONE. If the Senator from Vermont will permit me, I did not quite hear his statement. Do I understand that they were mostly farm laborers before coming to this country?

Mr. DILLINGHAM. Common or farm laborers.

Mr. STONE. Common or farm laborers; and into what line of industry have they entered here?

Mr. DILLINGHAM. They have gone into all lines of industry wherein common laborers could be employed, but more particularly into what we call the basic industries, like iron and steel and the production of coal and copper, the smelting industries, and others of similar character.

Mr. OVERMAN. Last year only about 15 per cent of the million who came here—about that number, speaking in round numbers—went upon the farm.

Mr. DILLINGHAM. That is easily explained. I am glad the Senator from North Carolina has called my attention to

that subject. The great problem in this country has been to secure farm labor. Farmers everywhere are demanding it. Our farmers would give employment at good wages and afford comfortable homes to this class of immigrants if they would consent to go with them. But you must remember when a man comes from southeastern Europe he, as a rule, has no knowledge of the English language; he is in a strange country; in a strange environment; he is among strange people; he can not make himself understood, nor can he understand others. Instinctively he goes to a settlement where he finds his own nationality, where he can indulge the habits of his previous life, and it is the most difficult thing possible to induce one of these men to segregate himself from those communities.

When he does accept employment on a farm it is as a rule near some manufacturing center. I have seen this in Vermont. I live in a county which produces great quantities of granite, where the eight-hour day prevails in that and other industries. When an immigrant goes upon a first-class farm 6 or 10 or 12 miles from the centers of the granite industry he is closely confined to farm work. The days are necessarily long, the milking must be done before breakfast in the morning and after supper at night. Even on Sundays he is not excused from what we in New England call "chores," because dairying is the chief feature of our agriculture, and his attendance mornings and evenings is required. Drawn by the attractions of shorter hours of labor in the near-by industries, by the longing for the companionship of his fellow countrymen, the temptation to change his employment is too strong in most instances to be resisted.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from Idaho?

Mr. DILLINGHAM. Gladly.

Mr. BORAH. Does the Senator think that reciprocity with Canada would help with respect to the American farm?

Mr. DILLINGHAM. I have never thought so.

Mr. McCUMBER. May I ask the Senator a question?

Mr. DILLINGHAM. Certainly.

Mr. McCUMBER. Is not one of the prime reasons why the foreigner does not go to the farm the fact that he can earn a great deal more in cities for a less number of hours of labor?

Mr. DILLINGHAM. I was just about to make that remark. The man on the farm goes on Sunday after his chores to visit a man who is working eight hours a day in the city who has Sunday to himself and earns the wages of a skilled laborer. He becomes dissatisfied, leaves the farm, and going in as a common laborer, works himself up until he becomes a skilled laborer with all the advantages appertaining thereto.

Mr. McCUMBER. I desire to say to the Senator that we can hardly expect foreigners to go to the farm when the farmer's children are going to the city in order to secure larger compensation.

Mr. DILLINGHAM. Each exercising the same amount of intelligence.

Mr. McCUMBER. We will never have a different situation until farm life can compete in these respects with city life.

Mr. DILLINGHAM. I quite agree with the Senator.

Mr. OVERMAN. Has not the effect of this great number of immigrants coming into the South Atlantic States been to drive out from our industries American labor, the foreign labor taking its place?

Mr. DILLINGHAM. I will give the statistics.

Mr. OVERMAN. Is not that true?

Mr. DILLINGHAM. If the Senator will allow me, I was just about to remark that the investigation of the conditions of these 37 leading industries of the United States, east of the Rocky Mountains, showed that of the whole number of employees only 20 per cent were native-born Americans of American parents, 60 per cent or nearly 60 per cent were foreign born, and about 15 per cent were of the second generation, the sons of foreign-born parents. I think perhaps that answers the Senator's question.

Mr. OVERMAN. I have seen it stated that 76 per cent of the laborers in the steel plants were foreign born.

Mr. DILLINGHAM. I do not think that is true, but I do think it is true that the foreign born and the sons of foreign born—the first generation—may reach about that figure. I find upon examination that of the 86,089 employees in that industry from whom information was secured by the commission 57.7 per cent were foreign born and 13.4 per cent were sons of foreign-born fathers.

Mr. OVERMAN. It has also been stated before the Senate that 85 per cent of the employees in the woolen mills at Lawrence were foreign born.

Mr. DILLINGHAM. The statistics for Lawrence are given in this report. From these it appears that in 1910 the per cent of foreign born in the population of that city 21 years of age or over was 62.6.

Mr. BACON. Right in connection with what I previously asked the Senator, in ascertaining the percentage, it seems to me very important to differentiate between conditions in different sections of what are classified as the Atlantic States. In getting the percentage of foreign-born workers, laborers, in the manufacturing establishments, I presume all the manufacturing establishments of the Atlantic States are taken into account, and the fact that I am about to mention will greatly increase their percentage in a certain section, because there is no percentage in the other section.

Take, for instance, the cotton-manufacturing industry of the South, which is a very large industry. About as much cotton is manufactured in the South now as is manufactured in the Northern States. It is true that it is not of so great a value, because the manufactures are not of goods of as fine quality, but I believe the statistics will show that about half the cotton manufactures in the United States is produced in the Southern States, and mostly in three States—North Carolina, South Carolina, and Georgia. I presume it is a fact that not 1 per cent or one-tenth of 1 per cent of the operatives in those factories are foreign born. They are made up exclusively of native-born operatives. Therefore, in taking the percentage of foreign born who are employed in the manufacturing enterprises of the Atlantic States the figures are scarcely accurate when you embrace the entire Atlantic States in the estimate, because there are different conditions in different parts. The result must be that in the Northern States, where all the foreign-born operatives are found, the percentage is very much higher than it is in the Atlantic States at large, when you take the Southern Atlantic States into the computation, as they have none of it whatever.

Mr. DILLINGHAM. The investigation made by the commission could not, of course, be as broad as the investigation made by the Bureau of the Census. As I said in opening, the commission made their studies in the centers of large industries, and it was intended to secure and present a picture of the immigration problem as found in those centers. We could not, of course, take up every manufacturing establishment in the country, nor by particular sections. So we selected 37 of the most important industries east of the Rocky Mountains, and then sent to the most important centers of each particular industry, and there made our investigations to secure a general picture of the effect of immigration upon manufactures in the United States under typical conditions.

An examination of the reports of the Bureau of the Census would, of course, furnish the information that the Senator from Georgia suggests as to the production of manufactures in the several States, and it would be a most interesting study.

Mr. BACON. The Senator from Vermont understands that I am not endeavoring to institute any comparison.

Mr. DILLINGHAM. Oh, no.

Mr. BACON. But I was just suggesting, as the Senator was presenting a picture showing the foreign-born labor in the manufacturing industries of the United States, that it is scarcely a proper presentation of it to include a large part of the country where no foreign labor is engaged.

Mr. STONE. Will my friend, the Senator from Vermont, permit me?

Mr. DILLINGHAM. Gladly.

Mr. STONE. I want to be sure I understand what he has said. I think I do, but I want to be sure. Of the total number of employees in the various industries of the country—

Mr. DILLINGHAM. In those investigated by the commission, the 37, the centers.

Mr. STONE. They are the principal industries?

Mr. DILLINGHAM. They are the principal industries.

Mr. STONE. Only 20 per cent of the operatives are native born and 80 per cent are foreign born?

Mr. DILLINGHAM. No; only 60 per cent. To be accurate, 59.9 per cent were foreign born. I said about 60. The other 15.2 per cent are the sons of foreign-born parents—children of the first generation.

Mr. STONE. But born in this country?

Mr. DILLINGHAM. But born in this country.

Mr. STONE. I should like to ask the Senator—and I am doing this purely for information—whether his investigations show a continuing and progressive decrease, so far as numbers go, in the employment of American-born citizens, and a progressive and a continuous increase in the number of foreign-born people employed in these industries?



Mr. DILLINGHAM. In reply to the Senator from Missouri, I can say that the commission were unable to trace the industries for any series of years back of the year when they made their examination. They took the conditions as they found them in that particular year and ascertained the number of each class employed at that time. Of course, the figures of the last census were not available to the commission, but at this time one could easily trace the growth of manufactures during the last 10 years.

We have been able to trace the increase of immigration to this country during the last 10 years from official sources. It is undoubtedly true that the manufacturing establishments of this country have employed an increasingly large number of immigrants. We have no data upon which to answer the question whether they are employing more native Americans than they were five years ago.

Mr. STONE. I was interested to know the fact for its own value, and then for a further reason. I am not going to make this observation with any thought of introducing a controversy or a discussion between the Senator from North Dakota [Mr. McCUMBER] and myself or anybody else, for it would not be proper in the speech of the Senator from Vermont, even if he were so kind as to permit it; and he is always kind enough to permit almost anything, whether he ought to or not. But the Senator from North Dakota made an observation a moment ago to the effect that the higher wage, the higher earning capacity in the centers of industry in manufacturing articles of that kind was inducing the young men of the farm to leave the farm and engage in other lines of employment, and it occurred to me that if foreign-born people immigrating to this country were coming in and crowding the industries and taking possession of such employment, that there was not much room for the native-born, farm-born young men to go to the centers of industries. However, I merely put that in in passing, and not to excite any controversy about it.

Mr. DILLINGHAM. When interrupted I was speaking about the number employed in the 39 industries investigated of native-born Americans and foreign born and their sons. I had given the percentages of each. I wish now to add that substantially one-half of this body of foreign-born employees come from the south and east of Europe. Anyone interested in the statistics upon that subject will find them in volume 1, page 102, of the report. From an examination it will be found that the number of each nationality employed in the manufactures are indicated in the following order: First, the Poles, and they constitute substantially one-tenth of the whole number; the Slovaks, South Italians, North Italians, Magyars, the Lithuanians, and the Croatsians. Those are the classes that are most frequently employed.

Moreover, they are recent comers. Cards received from 291,000 of this class indicated that 40 per cent of them have been in this country less than five years, and of those from southeastern Europe as a whole, 50 per cent of them have been here less than five years.

Mr. SIMMONS. Mr. President—

Mr. DILLINGHAM. I yield to the Senator.

Mr. SIMMONS. I wish to ask the Senator in this connection if he has the figures to give to the Senate showing the percentage of those immigrants who come in here and stay only three or four years and then return?

Mr. DILLINGHAM. I will come to that a little later, if the Senator pleases. I think I have the figures among my papers. They are not before me at the moment.

Mr. SIMMONS. The Senator has passed it, but I want to ask another question. He gave a little while ago the percentage of the foreigners employed in the industries which he said the commission investigated. He also gave the percentage of the children foreign born. I want to ask the Senator if he can give us the percentage of recent immigrants employed as unskilled laborers as distinguished from the percentage of foreigners who are employed as skilled and unskilled?

Mr. DILLINGHAM. It is impossible to do so, I will say to the Senator from North Carolina. The division line between them is very indistinct, and the commission were unable to determine that question.

Mr. SIMMONS. I will ask the Senator if it is not a fact that in most of these industries, especially in the steel industry, the textile industry, and in the coal mines, nearly all of the unskilled labor is now foreign born?

Mr. DILLINGHAM. I think that is a fact.

Mr. SIMMONS. The Senator has not the percentage?

Mr. DILLINGHAM. I do not know whether I understood the question of the Senator from North Carolina.

Mr. SIMMONS. I ask the Senator if he can give us the percentage of foreigners who are employed in the industries investigated by the commission, especially in the textile industry and the iron and steel industry and the mining industry, and in railroad and structural work.

Mr. DILLINGHAM. I have already stated that of all those reached by the commission who were employed in the iron and steel industries 57.7 per cent were foreign born and 13.4 per cent were the sons of foreign-born fathers. It also appears that of those engaged in bituminous coal mining reached by the commission 61.9 per cent were foreign born and 9.5 per cent were sons of foreign-born fathers. In the woolen and worsted industries 61.9 per cent were foreign born and 13.7 per cent were sons or daughters of foreign-born fathers. In the cotton industry the foreign born were 68.7 per cent of the whole, and the children of foreign-born fathers were 9.4 per cent. I am unable to state what percentage of those employed in railroad construction were foreign born.

Mr. SIMMONS. I will ask the Senator if he does not think that something near 85 per cent of unskilled labor in these industries is foreign born.

Mr. DILLINGHAM. I am unable to state that. That would be mere guesswork on my part, and I would not undertake to express an opinion.

Mr. SIMMONS. I desire to say to the Senator that an investigation made in the Finance Committee with reference to the steel industry indicated that over 80 per cent of the unskilled labor in those industries, especially in the iron industry, was foreign born.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER (Mr. BRISTOW in the chair). Does the Senator from Vermont yield to the Senator from Utah?

Mr. DILLINGHAM. Gladly.

Mr. SMOOT. I will say to the Senator from North Carolina that I have attended nearly every meeting, and I think I attended every one of the hearings of the Finance Committee while the metal schedule was under consideration, and I remember no such testimony having been given as that there was 80 per cent of unskilled labor foreign born in the steel manufacture of this country. I can not remember who gave that testimony.

Mr. SIMMONS. I think I will have no trouble in furnishing the testimony to the Senator. I made a statement somewhat similar to that in a speech I made some days ago. I think it is a fact that not 80 per cent of all the labor, but 80 per cent of the unskilled labor in the coal mines and in the steel and iron industry and in railroad construction and in general construction work and in the textile industries, in the New England and Northern States especially, is foreign born.

Mr. DILLINGHAM. I am very sorry that I am unable to furnish the Senator the information he desires.

Mr. OVERMAN. If the Senator will yield to me I will state that in an investigation of the Steel Trust it was shown that 80 per cent of the unskilled laborers there were foreign born, or 76 per cent of all the laborers employed in the steel industry in the United States.

Mr. SMOOT. That included all the children who were born of foreigners, and many of them had become naturalized citizens and were at the time when the testimony was given naturalized citizens. It is true that they were called foreign born, just as if a laborer is a German they call him foreign born, and if he is a Frenchman he is called foreign born.

Mr. OVERMAN. Nevertheless they were foreign born.

Mr. SMOOT. No; the children were not foreign born; they were born in this country.

Mr. OVERMAN. That was testified before the committee by the managers of those institutions.

Mr. SIMMONS. I think the report of the Immigration Commission shows that something over 40 per cent of the immigrants coming to this country now do not remain, but they return. I think the census shows that that estimate of the commission was far below the facts, and instead of 40 per cent of the immigrants who are coming now returning after a stay here of a few years, it is probably 50 per cent. The bulk of those immigrants come from southern and eastern Europe. They do not stay here long enough to raise families. They do not bring their wives and their children with them. They come here for the purpose of exploiting our markets. They are employed in these industries until they accumulate a little something, and then they go back to their homes.

Mr. DILLINGHAM. I had intended to speak upon this subject before completing my remarks, and will do so; but before doing it I want to resume the thread of my remarks by saying

that the household studies that were made by the commission would indicate that a majority of the foreign born who are engaged in the general industries are common laborers, because of the amount of wages they are receiving. The commission received returns from 26,616 heads of families, and the average earnings of each was \$475; and that being the average, the better, the skilled laborers, received a much higher compensation.

On the other hand, the average yearly earnings of the Lithuanians, Magyars, Mexicans, Poles, Portuguese, Roumanians, Russians, Servians, Slovaks, Syrians, Turks, and South Italians was only \$396.

Mr. O'GORMAN. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from New York?

Mr. DILLINGHAM. Certainly.

Mr. O'GORMAN. Can the Senator state what occupations were pursued by these nationalities whose annual earnings average about \$300?

Mr. DILLINGHAM. We were making at that time an investigation of the 37 industries, which I have already mentioned. In connection with that work we made what were called household studies to know how much the family earned, and from those studies, as I have just stated, we received returns from something like 26,000, I think, and the average earnings of the family were, as I stated, \$475, but the average earnings of those coming from some of the southeastern countries were much less than that, or, as I already stated, \$396. That was the point I was making.

Mr. O'GORMAN. Do I understand that the aliens to whom the Senator has just alluded are engaged in manufacturing industries?

Mr. DILLINGHAM. They are.

Mr. O'GORMAN. And their earnings average about \$300 a year?

Mr. DILLINGHAM. Oh, no; the average earnings were \$475. The earnings of the classes which I enumerated were \$392.

Mr. ROOT. Those from southeastern Europe?

Mr. DILLINGHAM. From southeastern Europe.

Mr. O'GORMAN. Were those the earnings of the head of the family or of the entire family?

Mr. DILLINGHAM. Of the head of the family.

Mr. SMOOT. Does the Senator know what industries they were engaged in?

Mr. DILLINGHAM. The report shows 39 of the principal industries, covering everything from locomotive building down to making collars and cuffs.

Mr. SMOOT. Does the report show what part of each year they were employed?

Mr. DILLINGHAM. I am coming to that.

Mr. STONE. Does it show the per cent of the lower-wage people?

Mr. DILLINGHAM. No; that is not possible.

Another significant feature of that class of immigrants, which have been admitted during the last 10 or 12 years, and which ought to be considered in connection with the legislation which is now before us, lies in the fact that they are so largely single men. Out of nine and one-half million who came between 1899 and 1910, 69.5 per cent were males, and of those coming from southern Italy, Russia, Bulgaria, and Servia 85.5 per cent were males.

This feature is emphasized by the further fact that of males who were 20 years old and over, coming from Austria-Hungary, Russia, Montenegro, Lithuania, Syria, Servia, Slavonia, and Roumania, 53 per cent were unmarried. Coming back to all the wage earners examined in the industries, it was found that only 55 per cent of them were married, but three-fourths of those who were married had left their wives in Europe. I think it is safe to say, therefore, that from 70 to 85 per cent of all the males from southeastern Europe who are employed in the United States to-day are either single men or are living singly in the United States.

Their purpose in coming here is clearly stated by the commission on page 499 of volume 1 of the reports, and to this I wish to call attention. The commission says:

The life interest and activity of the average wage earner from southern and eastern Europe has seemed to revolve principally about three points: (1) To earn the largest possible amount of immediate earnings under existing conditions of work; (2) to live upon the basis of minimum cheapness; and (3) to save as much as possible. The ordinary comforts of life as insisted upon by the average American have been subordinated to the desire to reduce the cost of living to its lowest level.

Mr. OVERMAN. Is there any report as to how much money those people send back to Europe?

Mr. DILLINGHAM. I will come to that in a moment, if the Senator please. I intended to speak of that next.

In 1907 there was remitted from the immigrant class in the United States to Europe \$141,000,000, indicating how carefully these men have carried out the purposes which the commission say they have in mind. Of this amount, \$55,000,000 went to Austria-Hungary, \$52,000,000 went to Italy, and \$15,000,000 went to Russia. The balance was divided between other countries in smaller amounts.

These men are not charity seekers; they are not lawbreakers; they are industrious, economical, and thrifty; they come here and their first object is to secure an American rate of wages and to live just as cheaply as possible. They hoard their earnings and send them abroad, and eventually most of them go back themselves.

Mr. OVERMAN. If the Senator will yield to me, let me ask him if that is not a very low estimate. How does the Senator ascertain those facts? I have seen it stated that the post-office reports show that an average of over \$90,000,000 is sent through the post office. The returning immigrants last year amounted to some 300,000. Is there any way to ascertain how much money they carried back in their pockets?

Mr. DILLINGHAM. It is impossible to tell.

Mr. OVERMAN. Therefore \$141,000,000 is not a true estimate of the amount of money they take back or send back from this country of their wages saved?

Mr. DILLINGHAM. It is a moderate estimate, based first upon what are known as immigrant banks; and Senators who want to know about immigrant banks will find a full account of them in the commissioner's report.

Mr. OVERMAN. My point is that there is a great deal you could not possibly arrive at, because as many as 200,000 and 300,000 go back every year. The estimate is, as I have seen it, I think, in your report, that each immigrant carries back in his pocket as much as \$100.

Mr. DILLINGHAM. I do not remember what the amount is stated to be, but what I was about to say is that this estimate was based upon the reports of immigrant banks, so called, and upon the bankers through whom they do business or through whom the remittances abroad are made.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Idaho?

Mr. DILLINGHAM. Certainly.

Mr. BORAH. I read a paragraph from Dr. Jenks's book upon this subject:

The importance of immigrant banks as agencies in the transmission abroad of immigrant money is indicated by the fact that approximately one-half of the estimated amount of \$275,000,000 sent abroad by aliens in 1907 passed through the hands of immigrant bankers.

Mr. DILLINGHAM. Now, about the manner in which these people live a word should be said. The commission say in their report:

The recent immigrant males, being usually single, or, if married, having left their wives abroad, have been able to adopt in large measure a group instead of a family living arrangement, and thereby to reduce their cost of living to a point far below that of the American or older immigrant in the same industry or the same level of occupations. The method of living usually followed is that commonly known as the "boarding-boss system." Under this arrangement a married immigrant or his wife or a single man constitutes the head of the household, which, in addition to the family of the head, will usually be made up of 2 to 20 boarders or lodgers. Each lodger pays the boarding boss a fixed sum, ordinarily from \$2 to \$3 per month, for lodging, cooking, and washing, the food being usually bought by the boarding boss and its cost shared equally by the individual members of the group. Another common arrangement is for each member of the household to purchase his own food and have it cooked separately. Under this general method of living, however, which prevails among the greater portion of the immigrant households, the entire outlay for necessary living expenses of each adult member ranges from \$9 to \$15 each month. The additional expenditures of the recent immigrant wage earners have been small. Every effort has been made to save as much as possible.

Right in this connection another thing that should be considered by the Senate is the fact that in the communities where they more largely congregate they do not come in touch with American life; they live in colonies, where they speak only their own language. Very few of them have family connections. They do not even have the advantage which comes from having children in the public schools through whom to come in touch with community interests. The result is that they lead an isolated life, and come less in touch with American life than any other class of American immigrants whom we have ever received.

Mr. STONE. Mr. President, this is a very interesting statement the Senator is making. He says that large numbers of foreigners come here with one supreme idea, as he expresses it. Their interest in life is to get the largest wage and live at the least possible expense. That is very well; that is what most men ought to do, I presume; but is that done with a view of mere accumulation, of frugality, or is it done with a view of getting a certain sum of money deemed sufficient for their purposes and



going back to their native land to live? The other question is, Does the Senator know about what proportion by way of percentage of those who come and live and toil and save in this way go back to their native land and do not return?

Mr. DILLINGHAM. Mr. President, while I have not accurate statistics at my command at this time, I will say that the number of the class I am discussing, from southeastern Europe, who return is much larger than the general proportion of returns among immigrants as a whole. Those returning, as a whole, are about one-third of those admitted, but among some of the nationalities from southeastern Europe as many as 50 per cent of them return.

Mr. STONE. And remain?

Mr. DILLINGHAM. And remain at home, I think.

Mr. OVERMAN. I do not know whether the statement is true or not and whether the Senator investigated it, but I have seen it stated that a certain Government in Europe had a contract with steamship companies to bring so many people to this country with the idea of returning. Was there such a contract as that in existence?

Mr. DILLINGHAM. That matter was fully investigated by the commission. It troubled the Senate Committee on Immigration very much at the time the report was circulated, and it was investigated by this commission with this result: There was an effort made on the part of the Government of Austria-Hungary to establish a steamship line between Trieste and the United States, a fortnightly line. They gave a subsidy to the steamship company assuming the undertaking, and one feature of the contract was that if the amount received from steerage passengers fell below a certain sum the Government was to make good that sum as a part of the subsidy. But, on the other hand, the commission found that the Government was very much opposed to emigration of Hungarian subjects and that the contract was not entered into with the purpose to encourage emigration from that country.

I may say, and I say it in justice to the Government of Hungary, that they are just as anxious to develop the industrial possibilities of that country as Germany has been to develop hers, and they are inclined to discourage the emigration of Hungarians to this country. They prefer to have them remain at home and engage in the development of their own country.

That is a fact which is thoroughly fixed in my mind. I have it upon authority which I can not doubt; nor have I any doubt to-day that an agreement can be made under the authority of the act of 1907 between the Governments of the United States and Hungary by which the immigration from that country will be very much limited. Other European nations are entertaining similar views. Italy, for instance, formerly encouraged emigration and was glad to have America receive a large number of south Italians, but I found upon visiting Italy in 1907 that conditions had changed because of the large number who had emigrated to the United States. The exodus from southern Italy had increased the price of farm labor from 25 cents a day to 40 cents and, in some instances, to 50 cents a day. So that even Italy has ceased to encourage her people to emigrate to the United States. Italy has been very much enriched by the money that has come from the United States both through her immigrant class and through tourists who visit Italy from America.

I had not intended in this connection to speak of that element in immigration known as the criminal class, but I might just as well say now what I have in mind about that class. I do not think the educational test I am now advocating will help us a particle to keep out the criminal classes because the criminal classes can read and write. They come from the cities rather than from the country districts and from all parts of Europe, and almost invariably are more or less educated.

But there is a way of reaching that difficulty. I think it can be done through an international agreement, by the appointment of a commission under the provisions of the immigration act of 1907, or through our diplomatic corps. The matter has been under consideration by our Government, and from what I know of the situation I can not doubt that that can be done.

It can be done for this reason. Almost every country in Europe keeps a civil record of the life of every subject. If a man has ever been convicted of crime, that record shows the facts, and a simple agreement that no passport shall be issued to a person without attaching a certificate indicating that he has never been prosecuted for crime would solve the problem. If we do not solve the problem by international agreements, we can lay an additional obligation on the steamship companies for that purpose, as we have done for other purposes. We can say to them, "You shall not bring to the United States any person who failed to secure from the proper authorities a certificate that he never has committed a crime."

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Idaho?

Mr. DILLINGHAM. Certainly.

Mr. BORAH. The criminal class can not be said to be confined alone to those who actually or technically commit a crime before they come here. There is another class which, in my opinion, must be covered very largely by the illiterate class. It is that class of people who may be manipulated and controlled and influenced by the criminal class who are literate; in other words, the class of people who are most easily used in the case of a disposition to commit crime in this country. Does not the Senator think that the literacy test would be beneficial?

Mr. DILLINGHAM. Ch, yes; indeed, I am advocating the literacy test.

Mr. BORAH. I know the Senator is.

Mr. DILLINGHAM. But I was speaking of the particular class which we look upon as the criminal element in immigration. I had those in mind when I made that remark. I was not speaking of any special class from any particular section, because they come from all parts of Europe. We have an agreement with Italy by which passports are required of all persons coming from that country.

Mr. McCUMBER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from North Dakota?

Mr. DILLINGHAM. I yield to the Senator.

Mr. McCUMBER. The Senator suggests that we can secure this by an agreement through the office of a commission. I should like to ask the Senator what obstacle there is in making it a part of our laws admitting immigrants? Why can we not place in a statute that requirement which the Senator thinks would be beneficial?

Mr. DILLINGHAM. It could be done. There is no question about that. I think it could be done better through an arrangement between the Governments, because, for instance, if we had an agreement that we would only admit those who had received passports from their Government, then we could secure an agreement with that Government as to conditions under which those passports would be issued, and they would require proof of all necessary facts before responding to applications.

Mr. McCUMBER. Will the Senator provide in his bill that we admit only those who do have a passport from their Government?

Mr. DILLINGHAM. I have no objection whatever to such a provision.

Mr. McCUMBER. I am not making any suggestion, because I have not given the matter the study the Senator has.

Mr. DILLINGHAM. I have no objection to that; but I do not think the mere giving of a passport would be of any particular advantage to us, knowing how passports are issued.

If, however, we had an agreement with the Government that passports should not be issued to the classes enumerated, and then go on and make our terms on which they should be issued, I think a passport would become very efficient in helping us to exclude undesirable immigrants.

Mr. McCUMBER. But the question whether we can secure such an agreement is an open question.

Mr. DILLINGHAM. I think I have reason to know that we can.

Mr. McCUMBER. And the question whether or not we could enact it into a law might be a different proposition. I myself can see no reason why we should not provide by law not only that a passport should be issued, but the conditions and recitations upon that passport as to the conduct of each individual.

Mr. DILLINGHAM. What I had intended to be understood to say was that I think, first, it can best be reached through agreements, and if it can not be reached in that way, then I think that we can adopt a provision of law which will accomplish what we desire.

Mr. McCUMBER. Does the Senator have that suggestion in his bill?

Mr. DILLINGHAM. Not at present.

Now, Mr. President, coming back to the suggestion I was making in regard to the condition of the recent immigration from southeastern Europe, the commission find that the market is overcrowded with common labor at the seats of many of our basic industries, and they base that conclusion very largely upon a comparison of the weekly wage of the laborer and his yearly receipts. By such comparisons it appears that in the iron and steel industry the weekly wage of those investigated was \$14.35, while the average amount received for the whole year was only \$346, indicating that they were employed less than half the time. So going through the different industries—that is an extreme

case—we found that in the bituminous coal-mining industry and in the silk-manufacturing industry, and in the woolen and worsted industries those with whom we came in contact seemed to have employment less than two-thirds of the time.

In the leather, clothing, and oil-refining industries they were employed over three-fourths of the time, while in the cotton industries they were employed more than four-fifths of the time. The same was true of those employed in sugar refining and in the boot and shoe industry, while in the slaughtering industry employment seems to have been given nine-tenths of the time, and in furniture, glove manufacturing, collars, cuffs, and so forth, they were employed most of the time.

This information is not accurate, but it is based upon the yearly receipts as compared with the weekly wage. We found in many of the localities where the basis industries are carried on that men were in fact employed only three or four days out of the week. This was true to such an extent that the recommendation of the commission to which I have alluded was adopted. If the Senate please, I want to call attention to the recommendation of the commission as a result of these conditions. They say:

8. The investigations of the commission show an oversupply of unskilled labor in basic industries to an extent which indicates an oversupply of unskilled labor in the industries of the country as a whole—a condition which demands legislation restricting the further admission of such unskilled labor.

It is desirable in making the restriction that—

(a) A sufficient number be debarred to produce a marked effect upon the present supply of unskilled labor.

(b) As far as possible, the aliens excluded should be those who come to this country with no intention to become American citizens, or even to maintain a permanent residence here, but merely to save enough by the adoption, if necessary, of low standards of living, to return permanently to their home country. Such persons are usually men unaccompanied by wives or children.

(c) As far as possible the aliens excluded should also be those who, by reason of their personal qualities or habits, would least readily be assimilated or would make the least desirable citizens.

Then the commission go on to name a number of ways in which it could be done, but they say in closing:

All these methods would be effective in one way or another in securing restrictions in a greater or less degree. A majority of the commission favor the reading and writing test as the most feasible single method of restricting undesirable immigration.

Mr. LODGE. All but one favor that test.

Mr. DILLINGHAM. All but one. Mr. Bennet disagreed with that.

The commission as a whole recommends restriction as demanded by economic, moral, and social considerations, furnishes in its report reasons for such restriction, and points out methods by which Congress can attain the desired result if its judgment coincides with that of the commission.

I have called attention especially to these various features of this class of immigration in order that the Senate may see how the educational test may bear upon the problem to be solved. If you examine the evidence relating to the old immigration, to which I have so many times referred, you will find that only 27 per cent of the whole were illiterate, while of the new immigration, taken as a whole, 35.6 per cent are illiterate. The average of the whole would be about 26 per cent.

Mr. STONE. What is the dividing line between the old and the new immigration?

Mr. DILLINGHAM. Well, I presume the Senator was out when I referred to that.

Mr. STONE. I am sorry to say that I was.

Mr. DILLINGHAM. The immigration we received more largely down to 1882 came from northern Europe—England, Ireland, Scotland, the Scandinavian countries, Germany, and other sections of northwestern Europe. We call that the old immigration. That which we term the new immigration has come since 1882; it has been increasingly large from southeastern Europe. In the last 10 or 12 years more than 70 per cent of those admitted have come from those countries. While the average rate of illiteracy among all immigrants is about 26 per cent of the whole, the rate among those of the new immigration is 35.6 per cent. In some nationalities the percentage of illiteracy is much higher than the average. Among the Portuguese, Turks, Mexicans, South Italians, Lithuanians, Syrians, Ruthenians, East Indians, Bulgarians, Montenegrins, Servians, Dalmatians, Bosnians who have recently been admitted 52.4 per cent of them can neither read nor write; but those that come to the—

Mr. OVERMAN. Will the Senator from Vermont yield to me?

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from North Carolina?

Mr. DILLINGHAM. Certainly.

Mr. OVERMAN. In this great investigation that has been made by the Senator from Vermont and his commission, was there any evidence of this country being made the dumping ground for insane persons sent over by other countries to this country to get rid of them?

Mr. DILLINGHAM. Not at all.

Mr. OVERMAN. Is it not a fact that in the State of New York, say, one-half of the insane people in asylums are foreign born?

Mr. DILLINGHAM. Mr. President, I do not know anything about the figures which the Senator from North Carolina has in mind.

But the fact about insanity is that it exists in highest ratio in the most highly civilized nations. We are not standing in fear of insanity from southeastern Europe. The larger number of cases come from the very nations from whom we would like to secure our immigration.

Mr. STONE. Unless anarchy is insanity.

Mr. DILLINGHAM. Unless anarchy is insanity. The report of the commission deals with this subject, and the statistics bearing upon it are illuminating. They give the number of insane per thousand inhabitants in different nations, as well as the proportion of them which are confined in insane hospitals. The Senator will find the insane immigrants mostly come from the most highly civilized nations of Europe.

Mr. OVERMAN. I suppose the Senator from Vermont has read the remarkable statement I had printed in the Record, coming from the governor of New York. If the Senator will permit me, I should like to read a letter from the president of the New York State Board of Charities.

Mr. DILLINGHAM. I have seen that letter, and we have placed in this bill a provision requiring a special examination for insanity.

Mr. OVERMAN. I am glad that has been done.

Mr. DILLINGHAM. We have been in full communication with the bureau of lunacy in New York and with all the State officers, and we have provided in this bill for a special scientific, technical examination of aliens coming to our ports.

Mr. OVERMAN. I am glad the Senator has put that provision in the bill.

Mr. LODGE. If the Senator will allow me, we have tried in every way to strengthen the provisions for the examination of immigrant aliens so as to reach cases of insanity. That has been one of the administrative features of the bill to which special attention has been given.

Mr. DILLINGHAM. And the committee have given hearings on the subject.

Mr. LODGE. As the Senator from Vermont has said, we have been in communication with the New York authorities and we have been doing everything in that direction that we could. It is very difficult sometimes to get the records or to detect insanity.

Mr. OVERMAN. I am very glad the committee has considered the matter. I have noticed that provision in the bill and I am heartily in favor of it.

Mr. LODGE. We very strongly appreciate the necessity of reaching this matter, and as the Senator knows, there has been a restriction on the admission of insane aliens for a long time, though I think the law has been inadequate.

Mr. OVERMAN. That brings me to this point: We have had restrictions along that line, and we propose now to make them more drastic; but having had those restrictions heretofore, has the law been honestly administered and have there not been great frauds in admitting insane people to this country in the past?

Mr. LODGE. I do not think there have been any frauds in the admission of that class.

Mr. OVERMAN. If there have not been frauds, how did they get in here?

Mr. LODGE. Because the law was not sufficiently rigid. That was one reason.

Mr. DILLINGHAM. I think there is another reason for that.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Idaho?

Mr. DILLINGHAM. In just a moment.

Mr. OVERMAN. I want to hear what the Senator from Vermont has to say.

Mr. DILLINGHAM. I think there is another reason for that. The medical examination has undoubtedly been more directed to the physical condition than to the mental condition of the immigrants. The examinations have been conducted by a very competent board of surgeons, I have no doubt, but the proposition at the present time is to have added to that force men who are skilled in mental diseases and who will be more able to detect them. Then, too, there is another fact that should be borne in mind, if the Senator from North Carolina will permit me, and that is that insanity does not always develop at an early age and it is not always discernible to the ordinary observer or even to the expert.



Immigrants that come from the most highly civilized countries of Europe have in large proportion a tendency toward it, and many of them become insane soon after arriving here. They are under new conditions, under different environments, they are moved upon as they have not been moved upon at home, and therefore it may be that very many of them become insane after reaching the United States.

Mr. OVERMAN. I agree with the Senator that the law has not been administered from the fact that we have not had alienists to examine the immigrants.

Mr. DILLINGHAM. That is true.

Mr. OVERMAN. And by reason of that fact many insane persons have succeeded in passing the surgeons. I am very glad that this drastic provision has been incorporated in the bill, and I hope it will prove effective.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Idaho?

Mr. DILLINGHAM. Gladly.

Mr. BORAH. I was going to say practically what the Senator from Vermont has already said. It seems to me that in all probability the difficulty with reference to this matter is the fact that insanity is about the most illusive affliction that one can have and the most difficult to prove. I take it that it would be very difficult to enact any law which would provide a certain test of this disease. I presume that that is one reason why it has been impossible to protect the situation, rather than that of fraud, because it is difficult to prove and difficult to know, especially in these times, when a man is insane.

Mr. DILLINGHAM. There is no question about the force of the Senator's suggestion. I had intended, Mr. President, to run through the bill which is before us, and call attention to some of the peculiar features of it, but I have spoken already too long.

Mr. OVERMAN. I think the Senator ought to go through the bill. The Senator has spoken for a long time, and I think we had better go on with this subject to-morrow and let him finish his speech then, for it is a most interesting question.

Mr. DILLINGHAM. I have very little more to say. I wanted to-day to present the general features of the question as they seem to me to bear upon the problems which we have to solve in this country, and I have been leading up to-day to the educational test as the most important one feature of the bill through which we can restrict the number coming to America of those whom we look upon as being the least desirable type.

This bill is based in a large part on the immigration act of 1907, which has proved to be a most effective measure in its application. This bill contains many new provisions, the greater part of which were recommended to Congress by the Immigration Commission. Other provisions are based on recommendations which appear in the last annual report of the Commissioner General of Immigration.

The bill proposes the repeal of all existing Chinese-exclusion laws, except that section of the law of 1882 which refers to the naturalization of Chinese and the substitution of a provision excluding from the United States the following:

Chinese persons or persons of Chinese descent, whether subjects of China or subjects or citizens of any other country foreign to the United States; persons who are not eligible to become citizens of the United States by naturalization, unless otherwise excluded by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into. The two provisions next foregoing, however, shall not apply to persons of the following status or occupations:—

This is the existing law, but it should be applied to the new provision—

Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, capitalists, and travelers for curiosity or pleasure, nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes, shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 20 of this act.

Briefly stated, the United States naturalization law extends the privilege of citizenship to "aliens being free white persons, and to aliens of African nativity and to persons of African descent," while the Chinese-exclusion act of May 6, 1882, specifically states "that no State court or court of the United States shall admit Chinese to citizenship." As stated, the repeal of the latter provision is not proposed. It is well understood that foreign-born persons of the Mongolian race, including the Chinese, Japanese, and Koreans, are not eligible to citizenship under our law, and it is probable that at least the greater part of the people of India and other countries of Asia are likewise excluded from the privilege. At present the Japanese would be little, if at all, affected by the proposed legislation, as under a voluntary understanding with Japan laborers of that race are

not permitted by the Japanese Government to come to the United States, the Government of Japan withholding passports from them.

Granting that the long-established naturalization policy of the United States Government ought to be perpetuated, the exclusion from the country of any considerable body of persons who must remain aliens obviously is undesirable. The purpose of the proposed legislation is to accomplish the exclusion of such persons.

Under the present laws Chinese of the professional classes are permitted to enter the United States, but are subjected to certain regulations and restrictions which do not apply in the case of persons of any other race or nationality. Under the proposed law the Chinese are placed on an equality with every other people in this regard. Moreover, at present Chinese of the excluded classes are singled out for different and more severe treatment than are the excluded classes of other races, and while the Commissioner General of Immigration recommends a consolidation of the Chinese and immigration laws, he would retain all the harsh features of the former and differentiate in several important particulars between the Chinese and aliens of other races seeking admission to the United States. The law proposed by this bill would regulate the immigration of all aliens according to the same standard on the theory that if severer restrictions seem necessary in the case of any particular race they should be impartially applied to all races. In the preparation of this bill some desirable features of the Chinese laws which do not appear in the immigration act have been made applicable to all aliens and where the laws differ only in detail these differences have been eliminated. As a matter of fact, there is only one important detail of the Chinese-exclusion laws which is not incorporated in the bill in some form. That detail is the provision contained in section 6 of the exclusion law of 1884, which requires that every Chinese person entitled to admission to the United States—

shall obtain the permission of and be identified as so entitled by the Chinese Government, or of such other foreign government of which at the time such Chinese person shall be a subject, in each case to be evidenced by a certificate issued by such government.

I may say here that I am perfectly willing that that provision shall remain in the law if it is desired—

Mr. LODGE. I think that is retained in the present amendment.

Mr. DILLINGHAM. It should be said, however, that the certificate has been of very little value. It is not received as evidence of the right of the immigrant to enter this country.

Mr. BORAH. Mr. President, I do not know that I understood the Senator from Vermont correctly. Speaking specifically, what changes have been made or will be made by the Senator's bill with reference to Chinese immigration?

Mr. DILLINGHAM. Substantially none. Previous to this we have had the general immigration law, and we have had the Chinese-exclusion law, and they have been administered by different divisions of the Bureau of Immigration. The department is anxious to consolidate them. By this bill we bring them under one administration. We have raised the requirements connected with the admission of European immigrants to place them upon a level with the regulations governing Chinese immigration in all respects, except the requirement of certificates by those coming from China. That is of no practical value, and I do not care whether it is in the bill or whether it is omitted. Let me illustrate. We now give a certificate to the Chinese immigrant, when he is admitted to this country, showing that he has been properly admitted.

Under this bill we give a certificate to every admitted immigrant, so that he can have the evidence that he has been legally admitted. In addition to that, we send a duplicate copy of such certificate to the Bureau of Naturalization. When that immigrant comes to be naturalized, he shows his certificate; he is identified by the corresponding certificate; and then it is known that no fraud has been committed. It is a help to the immigrant rather than an imposition.

The proposed law, it is believed, will accomplish all that is accomplished under the present laws, so far as the exclusion of Chinese laborers is concerned; and it is also believed that it will lead to a satisfactory and permanent settlement of the Asiatic immigration question generally on grounds that are entirely justifiable.

The literacy test as a means of reducing the present large immigration of unskilled laborers, the great majority of whom enter the industrial field, was recommended by the Immigration Commission. The commission reported that its investigations showed an oversupply of unskilled labor in the basic industries to an extent which indicated an oversupply of such labor in the industries of the country as a whole, and recommended that a

sufficient number of immigrants be debarred to produce a marked effect on the unskilled labor supply.

As far as possible—

The commission says—

the aliens excluded should be those who come to this country with no intention to become American citizens or even to maintain a permanent residence here, but merely to save enough by the adoption, if necessary, of low standards of living to return permanently to their home country. Such persons are usually men unaccompanied by wives or children.

The commission recommended the literacy test as the most feasible means of accomplishing this end, and while the test as a means of improving the quality of immigration may be considered of doubtful value by some, as a practical means of reducing immigration of the class referred to it undoubtedly would be a success. Certainly it would affect most the races whose immigration is for the most part a movement of unskilled laborers, who come without families, live under conditions which make them unfair competitors of those who have been born to or have adopted an American standard of living, send the greater part of their earnings to Europe, and eventually return there, only to be replaced in the American industrial field by other immigrants of the same type. Undoubtedly the literacy test would reduce this particular class of immigration by nearly, if not quite, one-half.

Moreover, the test is entirely practicable and essentially human, for in itself it would leave no doubt as to the inadmissibility of the potential immigrant, whereas many who are of other debarred classes find it necessary to cross the ocean in order to learn that they can not be admitted. It may also be said in favor of the literacy test that its enforcement can practically be placed upon the steamship companies, and this, as well as the enforcement of the provision excluding persons not eligible to naturalization, is assured by a provision of the bill, under which such companies are fined \$100 for each alien of the specified classes illegally brought to a United States port.

The proposed change in the character and manner of appointment of boards of special inquiry is based on a recommendation of the Immigration Commission. These boards are important factors in the administration of the law, and it is very desirable that they be composed of men of especial ability and training for the work. Up to this time they have been appointed from the boards of immigrant inspectors. They have had to pass in a judicial capacity upon most important questions arising in disputed cases. The commission do not think that they have been equal to the responsibility imposed upon them by the law. Under the provisions of this bill the Secretary of Commerce and Labor is authorized to make appointments from a class who will be equal to the obligation laid upon them, and in that way greater justice will be done.

Under the present law it is permissible to import skilled laborers, provided labor of like kind unemployed can not be found in this country. Under the present law, however, the admissibility of such persons can not be determined in advance of their arrival at United States ports. The bill proposes to amend the law in this regard and to permit the Secretary of Commerce and Labor to pass upon the question of their admissibility prior to the contract.

As an illustration of the necessity for this legislation a firm in Connecticut purchased machinery abroad for the manufacture of fine laces. When the machinery was set up there was not a person in America who could operate it. They were entitled to import skilled labor, under the provisions of the present law, for the purpose of operating such machines, but they were unable to have the question of their right to do so determined until the persons actually reached Ellis Island and the case had been passed upon by the officials there and by them passed on to the Secretary of Commerce and Labor. To obviate the difficulty there has been inserted a provision in this bill authorizing the Secretary of Commerce and Labor to hear and determine the application in advance. If it is determined that skilled labor is really required and can not be secured in this country, it is so decided, and the decision is communicated to the inspector of the port, and when the persons arrive they have no difficulty in securing admission.

Mr. STONE. Of course, it is not the opinion of the Senator, or he would not have inserted in the bill—but I will ask him if it is not possible that a provision of that kind would open a door to the admission of contract labor?

Mr. DILLINGHAM. Oh, no; I do not think so at all. The application is made directly to the Secretary of Commerce and Labor, and the immigration laws are administered by that department with great rigor against contract labor. I do not think so at all.

There can be little question that a large part of the present immigration of unskilled laborers is induced to come to this country by more or less direct promises of employment—a

matter to which I have already referred—but these cases are exceedingly difficult of detection, and the bill proposes to make the law in this regard of greater practical value. It is certain also that a considerable part of this class of immigrants are solicited to come by agents and subagents of steamship companies working in various parts of Europe. Such solicitation is forbidden by the United States immigration law, but it appears that the enforcement of the law as it now stands is impracticable. The bill proposes a radical change in legislation in this regard by making possible the imposition of an administrative fine for violations of this provision, and if that is not effective, the Secretary of Commerce and Labor is empowered to deny to persistently offending steamship companies the privilege of landing passengers at United States ports. It is believed that with these provisions a better observance of this important requirement of the law can be secured.

In authorizing the deportation of aliens who commit crimes involving moral turpitude within five years after their entry into the United States, and also the deportation of aliens who become public charges, from any cause, within three years after landing, the bill again follows recommendations of the Immigration Commission. An alien who has been convicted of or who admits having committed a crime prior to his admission to the United States is deportable under the present law, but he may follow a career of crime from the very day of his admission without danger of deportation. The limit within which the commission of a crime may be a cause for deportation is fixed at five years, the purpose being to avoid returning to a foreign country a person whose environment or circumstances in the United States have made him a criminal. This danger is obviated within the period specified by the proviso that an alien convicted of a crime shall not be deported if the court imposing sentence recommends otherwise.

The present immigration law provides for the deportation within three years after landing of aliens who become public charges from causes existing prior to such landing. This bill provides for the deportation of aliens who become public charges from any cause within three years after landing, in the discretion of the Secretary of Commerce and Labor, and it also provides for the removal at the expense of the United States of aliens who fall into distress or want and who desire to return to their native country. The purpose of this provision is the removal from the country of unfortunate persons whose immigration has resulted in failure.

Under our present system of control the Government's concern in the welfare of immigrants practically ceases when they leave the immigration station or board a train for the interior. Because of this, many immigrants fall into the hands of spoilers before they finally reach their friends. In several of the larger cities, which are distributing points for large numbers of immigrants, local societies have been formed for the purpose of aiding and protecting such immigrants, and some of these societies are doing a splendid work in this field. The present immigration law provides that means shall be adopted to protect aliens migrating to the United States from fraud and loss. This protection is now given at ports of arrival, but the same protection might well be extended to the immigrant during his journey to distributing points in the interior and after his arrival there until he proceeds to his final destination.

With this purpose in view there is incorporated in this bill a provision authorizing the Secretary of Commerce and Labor to establish immigrant stations at such interior points as may be necessary, and also to detail officers to accompany immigrants from ports of landing to such stations. Moreover it is provided that such interior station be utilized to aid in the beneficial distribution of admitted aliens, which is authorized by the law of 1907 and retained in the bill.

Mr. President, I think I have gone over this question as fully as I care to do to-day. The study of this question has been a very great pleasure to me, and I think I see very clearly that the recommendation of the commission that immigration be restricted along the lines I have indicated is a wise one, and I most surely hope that the clause relating to the reading and writing test may be retained in the bill and that the bill may become a law.

Mr. STONE. Mr. President—

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from Missouri?

Mr. DILLINGHAM. Certainly.

Mr. STONE. I very much hope that the educational test will not be restored to the bill. I am opposed to it, and before the consideration of the bill is concluded, unless some other Senator or Senators who hold the same view will take the floor and present the matter in a better way than I can—I think there



are a number who hold the same view who can do it—I shall ask to be heard in opposition to that proposition, although as I understand it is now in the bill, merely having been recommended to be stricken out.

Mr. LODGE. Of course the Senator understands that it was recommended to be stricken from the bill by the committee. It has to be agreed to or disagreed to by the Senate.

Mr. STONE. But it is pending.

Mr. LODGE. The amendment that is pending is an amendment to strike it out of the bill.

Mr. STONE. The committee adopted the amendment.

Mr. LODGE. The committee adopted an amendment to strike it out.

Mr. STONE. I should like to ask the Senator from Vermont—

Mr. LODGE. I am in charge of the bill.

Mr. STONE. Then I will ask the Senator from Massachusetts what his disposition is with reference to the consideration of the measure?

Mr. LODGE. The bill has been some time before the Senate, and was postponed on account of the Senator from North Carolina, who desired to speak upon it, in addition to the Senator from Vermont. I am very anxious to get it out of the way. The tariff bills are coming in, and I want to get it out of the way of those bills at the earliest possible moment. Of course I am not trying to cut off any Senator.

Mr. STONE. I am not asking for any delay.

Mr. LODGE. My intention is to press the bill to-morrow. I do not know of any Senator who desires to speak, and I shall ask the Senate to consider the bill at as early a day as possible.

Mr. STONE. That is entirely satisfactory to me.

Mr. OVERMAN. All of the committee amendments have been dealt with and adopted except one?

Mr. SIMMONS. One committee amendment has not been adopted, and that is the one with respect to the educational test.

Mr. LODGE. That is what I have just stated.

Mr. SIMMONS. Is there any reason why we can not dispose of it this afternoon?

Mr. LODGE. The Senator from Missouri [Mr. STONE] has stated just this moment that he desires to be heard against it.

Mr. SIMMONS. I beg pardon. I did not hear the statement of the Senator from Missouri.

Mr. OVERMAN. Why would it not be well to take up this bill section by section for amendment?

Mr. LODGE. That has been done. The bill has been read for amendment and the committee amendments have all been agreed to.

Mr. OVERMAN. The committee amendments?

Mr. LODGE. All of the committee amendments except the one I have mentioned.

Mr. OVERMAN. I speak of any amendments.

Mr. LODGE. After the disposition of the pending amendment the bill will be open to amendment by anybody.

Mr. OVERMAN. All the committee amendments but one have been adopted?

Mr. LODGE. Certainly.

Mr. OVERMAN. When the bill comes up again, would it not be wise to take it up section by section?

Mr. LODGE. That has been done. The bill was read for amendment, the committee amendments to be considered first. The committee amendments are not yet concluded.

Mr. OVERMAN. After the disposition of the committee amendments any amendment a Senator wants to offer will be in order?

Mr. LODGE. As soon as we dispose of the committee amendment.

Mr. OVERMAN. Will the Senate committee amendment as to the illiteracy test come up before other amendments are in order?

Mr. LODGE. It will, it being the last committee amendment.

Mr. OVERMAN. Therefore, the Senator having the bill in charge will insist upon that being taken up before other amendments are considered?

Mr. LODGE. Certainly. That is under the usual rule of the Senate concerning committee amendments. Individual amendments may be offered subsequently.

Mr. WILLIAMS. Do I understand that the bill will not be read again for amendment?

Mr. LODGE. It has been read.

Mr. WILLIAMS. Under the five-minute rule?

Mr. LODGE. We have no five-minute rule in the Senate.

Mr. WILLIAMS. I mean under the general rule.

Mr. LODGE. It has been acted upon like an appropriation bill is acted upon. The committee amendments have all been

disposed of but one, and as soon as that is disposed of the whole bill will be open to amendment.

Mr. President, I now ask unanimous consent to change a word in a committee amendment that was agreed to yesterday. It was an error, not in the printing, but an error in the typewritten copy sent up.

In line 12, page 8, the word "excluded" should be stricken out and the words "provided for" inserted, so as to read, "unless otherwise provided for."

The SECRETARY. On page 8 of the committee amendment, last print, lines 12 and 13, strike out "excluded" and insert "provided for."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. LODGE. There is one other. On page 9 I ask unanimous consent to insert, in line 12, after the word "speak," the words "or write."

The amendment was agreed to.

Mr. LODGE. On page 10, line 15, after the word "President," change "may" to "shall."

The amendment was agreed to.

#### SOUTHERN JUDICIAL DISTRICT OF TEXAS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14083) to create a new division of the southern judicial district of Texas, and to provide for terms of court at Corpus Christi, Tex., and for a clerk for said court, and for other purposes.

Mr. CLARK of Wyoming. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. CLARK of Wyoming, Mr. NELSON, and Mr. CULBERSON conferees on the part of the Senate.

#### HOOR OF MEETING TO-MORROW.

Mr. LODGE. I move that when the Senate adjourns to-day it be to meet at 12 o'clock noon to-morrow.

The motion was agreed to.

#### ESTATE OF BENJAMIN B. COX, AND OTHERS.

Mr. KERN. I ask unanimous consent for the present consideration of the bill (S. 4552) for the relief of the estate of Benjamin B. Cox, and others.

The VICE PRESIDENT. Is there objection? The Secretary will read the bill for the information of the Senate.

The Secretary read the bill.

Mr. SMOOT. The bill has been read, and I will not object to its consideration, but I will object to any other bill being taken from the calendar for consideration at this time.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to the personal or legal representatives of the following estates, which paid taxes in the Indiana internal-revenue districts, namely, estates of Benjamin B. Cox, Gerhard Ittenback, and Mary A. Kistner, such sums of money as have been in any manner collected from those estates as internal-revenue taxes paid on legacies and distributive shares of personal property to the United States under the war-revenue act of June 13, 1898.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 18, 1912, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate April 17, 1912.*

##### COLLECTOR OF CUSTOMS.

David M. Little, of Massachusetts, to be collector of customs for the district of Salem and Beverly, in the State of Massachusetts. (Reappointment.)

##### SURVEYOR OF CUSTOMS.

Jacob J. Greenwald, of Utah, to be surveyor of customs for the port of Salt Lake City, in the State of Utah. (Reappointment.)

## PROMOTIONS IN THE ARMY.

## MEDICAL CORPS.

Lieut. Col. William Stephenson, Medical Corps, to be colonel from April 12, 1912, vice Col. John Van R. Hoff, retired from active service, April 11, 1912.

Lieut. Col. John L. Phillips, Medical Corps, to be colonel from April 13, 1912, vice Col. Louis W. Crampton, who died April 12, 1912.

Maj. Henry A. Shaw, Medical Corps, to be lieutenant colonel from April 12, 1912, vice Lieut. Col. William Stephenson, promoted.

Maj. Francis A. Winter, Medical Corps, to be lieutenant colonel from April 13, 1912, vice Lieut. Col. John L. Phillips, promoted.

Capt. William R. Eastman, Medical Corps, to be major from April 12, 1912, vice Maj. Henry A. Shaw, promoted.

Capt. James F. Hall, Medical Corps, to be major from April 13, 1912, vice Maj. Francis A. Winter, promoted.

## APPOINTMENTS IN THE ARMY.

## MEDICAL RESERVE CORPS.

*To be first lieutenants with rank from April 15, 1912.*

Bertram Moses Bernheim, of Maryland.  
Joseph Hammond Bryan, of the District of Columbia.  
Oliver Howard Campbell, of Missouri.  
George Henry Fox, of New York.  
Charles Howard Goodrich, of New York.  
Francis Randall Hagner, of the District of Columbia.  
Charles Henry Hunt, of Maine.  
William Edwin Luter, of Texas.  
Henry Houston Ogilvie, of Texas.  
Elliott Coues Prentiss, of Texas.  
Edwin Pliny Seaver, jr., of Massachusetts.  
George Messick Selby, of Wyoming.  
Frank Marion Sprague, of Washington.  
Gustave Herman Taubles, of California.  
Thomas Jones Walthall, of Texas.  
James Herbert Lawson, of New York.  
Albert West Metcalf, jr., of Alabama.  
Louis Anthony Meraux, of Louisiana.

## CHAPLAIN.

Rev. James Miles Webb, of California, to be chaplain, with the rank of first lieutenant, from April 15, 1912, vice Chaplain Charles M. Brewer, Sixth Field Artillery, dismissed June 14, 1911.

## CHIEF OF CHILDREN'S BUREAU.

Julia C. Lathrop, of Illinois, to be Chief of the Children's Bureau in the Department of Commerce and Labor.

## POSTMASTERS.

## MARYLAND.

John T. Carter to be postmaster at Denton, Md., in place of Thomas R. Green. Incumbent's commission expired January 10, 1911.

## VIRGINIA.

Alexander W. Harrison to be postmaster at Lawrenceville, Va., in place of Alexander W. Harrison. Incumbent's commission expired January 31, 1912.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 17, 1912.*

## POSTMASTERS.

## CALIFORNIA.

Charles S. Graham, Pleasanton.

## GEORGIA.

William H. Carroll, La Fayette.  
Thomas E. Oden, Blackshear.  
John W. Spinks, Dallas.  
Robert J. Webb, Alpharetta.

## MINNESOTA.

I. P. Hodge, Stewartville.  
Martin J. Rucker, Mazeppa.

## MISSISSIPPI.

Thirza I. Clarke, Marks.  
Alfred B. Clifton, Hernando.  
Maze H. Dally, Coldwater.  
Irene F. Elliott, Okolona.  
Frank Fairly, Mount Olive.  
Allen R. Frazier, Lexington.  
Charles L. Hovis, Ripley.

Nellie Lide, Lumberton.  
Thomas F. Logan, Friar Point.  
John R. Matthews, Wesson.  
Bennett A. Truly, Fayette.  
John G. Webb, Pickens.

## NEVADA.

Quincy W. Hull, Ely.

## NEW YORK.

William E. Clark, Fredonia.  
Charles L. Dix, Forestville.  
John Hopkins, Hyde Park.  
Reuben Kline, Port Leyden.  
Judson A. C. Knapp, Churchville.  
Thomas A. McWhinney, Lawrence.  
Frederic A. Purdy, Croton Falls.  
Solomon A. Royce, Liberty.  
De Witt C. Titus, Hempstead.  
Charles Voss, Tannersville.  
Charles H. Whitson, Briarcliff Manor.

## OREGON.

Ione McColl, Gresham.

## VIRGINIA.

John H. Steele, Coeburn.  
Charles E. Welch, Phoebus.

## WISCONSIN.

Walter C. Crocker, Spooner.  
Henry J. Goddard, Chippewa Falls.  
Walter Kleinpell, Cassville.  
William F. Prochnow, Almond.

## WYOMING.

Joseph L. Kidwell, Douglas.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 17, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven we bless Thy holy name for the widespread sympathy going out from thousands of hearts to those who are suffering the untold agony of suspense, hoping, it may be, against hope. Comfort them we beseech Thee in the blessed truth that Thou art the God of the living and the dead. That nothing can separate Thy children from infinite and eternal love, and help us to learn well the lesson so dearly bought that the nations may combine in measures which may avert such terrible disasters, and everlasting praise we will give to Thee in the name of Him who taught us faith and hope in Thee our Father. Amen.

The Journal of the proceedings of yesterday was read and approved.

## LEAVE OF ABSENCE.

By unanimous consent, Mr. ADAMSON was granted leave of absence, for six days, on account of illness in his family.

## PAYMENT OF CLAIMS ARISING FROM INDIAN DEPREDACTIONS.

The SPEAKER. This is Calendar Wednesday and the unfinished business is the bill H. R. 14667. The House automatically resolves itself into the Committee of the Whole House on the state of the Union, with the gentleman from Illinois [Mr. FOSTER] in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 14667) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891.

The CHAIRMAN. When the committee rose last Wednesday the gentleman from Illinois [Mr. MADDEN] was recognized for one hour.

Mr. STEPHENS of Texas. Mr. Chairman, before the gentleman proceeds I desire to ask unanimous consent that all debate on this bill close in one hour, one half to be controlled by the gentleman from Illinois [Mr. MANN] and the other half by myself. I am desirous of closing up this bill. We have had two days already and there is a great pressure of business in this House, and I hope we can arrive at an agreement to close this debate in one hour.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that all general debate on this bill be closed in



one hour, one-half to be controlled by himself and one-half by the gentleman from Illinois [Mr. MANN]. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, I will say to the gentleman that I do not know whether we will want as much as an hour, but we might want a little more. Why not let debate run along for a few minutes, anyhow, and see? I think we can get through with the bill in a short time.

Mr. STEPHENS of Texas. With the understanding that it will not require more than an hour I am perfectly willing to let it run along for awhile. I can see your colleague is not present, who has been recognized.

Mr. MANN. My colleague is not here; he is out of the city, so he does not desire the time. Let debate run on for a little while, and I think we can get through with general debate in a short time.

Mr. STEPHENS of Texas. I think we desire to close the debate on this side, and if the gentleman will occupy 30 minutes the persons favoring the bill will close.

The CHAIRMAN. Does the gentleman from Texas withdraw his request?

Mr. STEPHENS of Texas. As I understand, what the gentleman says amounts to an objection at the present time. I desire, then, to submit some remarks in my own right.

Mr. Chairman, I think there has been a total misapprehension of the purpose of this bill. The fact is that it only reinstates the Indian depredation act of 1891 and permits persons who brought suit under that act, and whose cases were dismissed because the plaintiffs could not prove their citizenship, to have their cases reinstated and tried upon their merits. I desire the close attention of this committee for a few moments. During my service here I have talked but very little, and I want to be heard on this bill, because the matter is one of deep interest to myself, as this is my bill and I have had a bill similar to this pending in this House for 12 years. Twelve years ago the gentleman from Arizona, M. A. SMITH, now a Senator at the other end of this Capitol, joined with me in making a favorable report upon a bill similar to this one, that I had introduced in that Congress. There have been since that time several favorable reports made by the Indian Committee on similar bills. One was made four years ago by the gentleman from Minnesota [Mr. MILLER], and in this Congress the present favorable report on this bill has been made by the gentleman from Oklahoma [Mr. FERRIS].

This measure is not what I would like, because it does not afford adequate relief to the people who have been damaged by the loss and destruction of their property in the West by Indians. The amity clause should be stricken from the law, and never should have been written in it, so that when the settlers' property was destroyed by hostile Indians the owners of the property should have been remunerated by the Government instead of having been refused remuneration.

I do not believe that this Government ever should have recognized that an Indian tribe living within the boundaries of the United States should be treated as a foreign nation, but whenever they committed these depredations the Government should have been responsible for them. In the first instance, the Indians' property should have been responsible as a tribe; in the second instance, the Government itself should have been responsible. And that has been the law ever since it was written there by Congress in 1796. The fathers of this country, some of the men who wrote our Constitution, the men who enacted our first laws, are responsible for these depredation acts, because they first declared that both inhabitants and citizens should be indemnified for the loss of their property by depredating bands of Indians.

Millions of dollars have been paid out to the settlers in the West to indemnify them for such losses, and it is too late now to raise the question brought up by the gentleman from Kansas [Mr. JACKSON], the gentleman from Mississippi [Mr. Sisson], and the gentleman from Illinois [Mr. MANN] alleging that the Government is not responsible to these claimants. Take, for instance, the State of Texas, where I was born and reared, and you will find that Indians have destroyed millions of dollars' worth of property there, much of which has never been paid for by the United States or by the guilty Indians. This is therefore a matter of great importance to the people I represent here. Texas did not go into the Union as any other State did. She had a separate and distinct history. She was an independent republic. When she yielded up her own nationality by an annexation treaty and became a part of this great Government, it was part and parcel of that agreement that her frontier should be protected against the depredations of savage Indians. All I ask of this Congress is to redeem that promise. There were five Indians in the territory of Texas to one white man

at that time. Many of them were continuously hostile and on the warpath. We had undertaken and succeeded in our revolution with Mexico and had acquired our independence and established the Republic of Texas. We had in doing so exhausted all of our resources, and in order to get the protecting arm of the United States, its Army, and resources to protect our frontier we surrendered our independence and nationality and came under the dominion of the Stars and Stripes. Instead of protecting our inhabitants as well as our citizens, and thus carrying out that agreement, you took advantage of a technicality and said that we must be citizens of the United States before we could be protected. The Court of Claims, under the act of 1891, held—on a technicality, it is true—that because we merged ourselves into the United States by annexation an inhabitant of Texas did not, ipso facto, become a citizen of the United States, but every man in Texas must have been a citizen of the Republic of Texas, not an inhabitant of the Republic of Texas, before he could become a citizen of the United States. The fact is there were many foreign soldiers who fought in the Texas revolution and had taken the oath of allegiance to the Republic of Texas, and who believed that this made them citizens of the Republic of Texas because they were inhabitants of Texas. When their property was destroyed by wild Indians they very naturally believed that they were citizens of the United States; hence they or their heirs brought these suits under this act of 1891 to recover for the loss of property the Indians had stolen or destroyed. The suits were dismissed because of the mere fact that Texas by uniting herself with the United States did not make her citizens citizens of the United States.

Let me give you a concrete case showing the injustice of the refusal to pass this act. A striking instance of the injustice of the law as it now exists is shown in volume 33 of the Court of Claims Report, page 444, the case of Trabing v. The United States. It is one of the cases we rely upon, and there are many others of that kind.

In that case it appears that the claimant's father came to the United States when the claimant was only 11 years old, lived in Baltimore and Washington—this very city—and in Montgomery and Howard Counties, Md., and is believed to have voted for Abraham Lincoln for President. No record of his naturalization could be found. The claimant during the war took the oath of allegiance to the United States and served in the Quartermaster's Department of the United States Army and did guard duty in the forts around Washington.

After the war he went out as an employee of the Quartermaster's Department to Fort McPherson, Nebr., took up his residence there, and remained in that State continuously for a number of years, until he finally settled in Wyoming. It appears that he served as deputy assessor in North Platte, Nebr., in 1867, and no question was ever raised as to his citizenship until 1892, when under this act of 1891 it was decided that nobody but citizens could recover damages for property destroyed by Indian depredations.

No record of his father's naturalization could be found. Here was a man whose father had been dead for many years, who had to prove in a highly critical court that his father had been naturalized, and he could not do so.

This man applied for a decree of naturalization, and the papers were then issued to him about 1890, before this law passed in 1891. The Court of Claims decided that it could not find as a fact that he was a citizen prior to his loss by Indian depredations in 1868, and consequently judgment was entered against him.

It is against such manifest injustice as this that we are now inveighing, and such injustice as this that this bill has been brought before you to correct.

The gentleman from Mississippi [Mr. Sisson] and the gentleman from Kansas [Mr. JACKSON] have stated that it will take \$4,000,000 to pay these claims. The gentleman from Illinois [Mr. MANN] is fair enough to admit the truth, that it will take only \$500,000; but, Mr. Chairman, even that is far beyond the truth. These claims are 40 years old. These men who suffered the losses are very old men if living; if dead, their heirs must prove their citizenship, and it is impossible for men who have suffered damages so many years before to produce the evidence and obtain judgment in such cases.

Mr. SISSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Mississippi?

Mr. STEPHENS of Texas. I would rather not. The gentleman had an hour and a half the other day.

The CHAIRMAN. The gentleman declines to yield.

Mr. STEPHENS of Texas. I will yield to the gentleman for a question.

Mr. Sisson. Since the gentleman declines, I will not insist.

Mr. STEPHENS of Texas. I will yield to the gentleman.

Mr. Sisson. I will state to the gentleman that, while I consumed perhaps an hour the other day, a greater portion of the time, as the gentleman will find if he will look up the Record, was consumed by the gentleman from Texas.

Mr. STEPHENS of Texas. I thank the gentleman for his kindness, and will reciprocate.

Mr. Sisson. But the gentleman is now repaying me with anything but kindness. I have always contended that, according to the gentleman's showing here, about a million and a half dollars would be claimed, but the gentleman contended that only half a million dollars would be recovered. I nowhere stated that this bill would cost \$4,000,000.

Mr. STEPHENS of Texas. I am glad to see that the gentleman is fairer in his statement now than he has been heretofore in his arguments.

Now, Mr. Chairman, I desire to call the attention of the House to the fact that the gentleman from Mississippi [Mr. Sisson] and also the gentleman from Illinois [Mr. Mann] made the contention that this law was repealed in 1859, and when it was reenacted in 1891 it did not relate back, and that at the time these depredations were committed, between 1860 and 1876, there was no law making the United States responsible for these acts.

Unfortunately for the gentleman's contention, Mr. Thompson, the Assistant Attorney General, who has had charge of these depredation cases for years, stated before our committee two years ago that these same cases related back to 1835—to the act that I will read you. That act made the United States Government plainly and clearly responsible.

This is the act of 1835, and Mr. Thompson says that if any Indian shall—

take or destroy the property of any person lawfully within such country, or shall pass from the Indian country into any State or Territory inhabited by citizens of the United States, and there take, steal, or destroy any horse, horses, or other property belonging to any citizen or inhabitant of the United States, such citizen or inhabitant, his representative, attorney, or agent may make application to the proper superintendent, agent, or subagent who, upon being furnished with the necessary documents and proofs, shall, under the direction of the President, make application to the nation or tribe to which said Indian or Indians shall belong for satisfaction; and if such nation or tribe shall neglect or refuse to make satisfaction in a reasonable time, not exceeding 12 months, it shall be the duty of such superintendent, agent, or subagent to make return of his doings to the Commissioner of Indian Affairs, that such further steps may be taken as shall be proper, in the opinion of the President, to obtain satisfaction for the injury; and, in the meantime—

Here, fellow Members, I want to call your attention to the most significant words in this law:

And, in the meantime, in respect to the property so taken, stolen, or destroyed, the United States guarantee to the party so injured an eventual indemnification.

Have the gentleman from Illinois [Mr. Mann], the gentleman from Mississippi [Mr. Sisson], and the gentleman from Kansas [Mr. Jackson], who are fighting this bill, overlooked this very important act of 1835? If they have, I refer them to it here, and also to the fact that the Court of Claims held that the act of 1891 related back to and revived this act of 1835.

I refer them to the statement of Attorney General Thompson that the act of 1891 relates back to this very act.

Mr. Mann. Will the gentleman yield for a question?

Mr. STEPHENS of Texas. Certainly.

Mr. Mann. While the act of 1891 might allow claims under the act of 1835, is it not true that it only allowed claims that accrued prior to the repeal of that act in 1859? The act of 1859 repealed the act of 1835. How many claims are there now that accrued prior to 1859? Are the bulk of these claims as old as between 1835 and 1859 or did the bulk of them accrue afterwards?

Mr. STEPHENS of Texas. I will give the gentleman the statement of Mr. Thompson. It is very clear and is better than any statement I could make, because he has been engaged in this work for many years and is now representing the Government in these very claims.

Mr. Mann. I believe that, but he does not make any explicit statement on that subject except to say that a number of these claims accrued prior to the repeal of the act of 1859.

Mr. STEPHENS of Texas. This is what he said to our committee, and I read it now from the report:

It might be interesting to the committee to know, if they do not already know it, that in 1859 the United States passed an act providing that from that time on they should not be liable for Indian depredations.

That is the act the gentleman refers to.

And from 1859 down until the act of March 3, 1891, was passed there was no liability on the part of the Government for any Indian depredations—

And I will state to the gentleman that it was during that time that a great many of these Indian depredations occurred—

Because it was specifically provided that they should not be liable. Then, when the act of March 3, 1891, was passed, it gave to the Court of Claims jurisdiction—

Here is the point now—  
to hear and determine and adjudicate these claims.

These claims could not have been valid claims against the United States until Congress revived them by the act of 1891. That is what he says.

Then when the act of March 3, 1891, was passed it gave to the Court of Claims jurisdiction to hear and adjudicate these claims, and the court has decided that that act was jurisdictional, but that by it the United States, in providing that judgments might be rendered against the United States, assumed liability for all depredations that had been committed before that time, subject to the exceptions contained in that law, and the Court of Claims held that the act of March 3, 1891, related back to the trade and intercourse act of 1834, and that is the act upon which the liability of the United States and the Indians for these claims is based.

The act of 1891 relates back to and is connected by this court and the Attorney General himself with the act of 1834, and this covers all the time that any of this property was destroyed or stolen.

Mr. Bowman. Will the gentleman yield?

Mr. STEPHENS of Texas. Certainly.

Mr. Bowman. Is that the opinion of the Attorney General?

Mr. STEPHENS of Texas. That is the evidence of the Attorney General explaining the decision of the court. Now, let us see what he said in another place. We had him before us, and I asked him a question relative to this matter, and here is his statement:

Mr. STEPHENS. The only new feature in this bill, then, that would be original legislation is with reference to the amity question?

Mr. Thompson. Amity and citizenship.

Mr. STEPHENS. I understood you to say that the citizenship question was old law.

Mr. Thompson. You are right about that—I want to correct that answer. Amity would be new legislation. All of the laws provided, before the act of March 3, 1891, that the inhabitant might recover without reference to citizenship, and the only place where the word "citizen" alone is found in the law is in the act of 1885 I spoke of, where the Secretary of the Interior was given the right to inquire into and investigate and allow claims of citizens of the United States for property taken by Indians in tribal relations, so that the new legislation in this bill is the amity and not citizenship.

There is the statement of the Attorney General in reference to this case, and it is perfectly clear. Now, Mr. Chairman and gentlemen, I do not propose to take much more of your time.

Mr. Harrison of Mississippi. Will the gentleman yield?

Mr. STEPHENS of Texas. Certainly.

Mr. Harrison of Mississippi. It has been charged by the opponents of this bill that if this passes the lawyers will eat up in fees the most of what is coming to the claimants. I do not see any provision in the bill limiting the amount of fees that the lawyers or agents shall receive. Would the gentleman oppose an amendment to that effect?

Mr. STEPHENS of Texas. Let me state to the gentleman that the fees will be the same as the original fees in the act of 1891.

Mr. Harrison of Mississippi. What are the amounts of those fees?

Mr. STEPHENS of Texas. I will read section 9 of that act:

SEC. 9. That all sales, transfers, or assignments of any such claims heretofore or hereafter made, except such as have occurred in due administration of decedents' estates, and all contracts heretofore made for fees and allowances to claimants' attorneys, are hereby declared void, and all warrants issued by the Secretary of the Treasury in payment of such judgments shall be made payable and delivered only to the claimant or his lawful heirs, executors, or administrators or transferees under administrative proceedings, except so much thereof as shall be allowed the claimant's attorneys by the court for prosecuting said claim, which may be paid direct to such attorneys, and the allowances to the claimant's attorneys shall be regulated and fixed by the court at the time of rendering judgment in each case and entered of record as part of the findings thereof; but in no case shall the allowances exceed 15 per cent of the judgment recovered, except in case of claims of less amount than \$500, or where unusual services have been rendered or expenses incurred by the claimant's attorney, in which case not to exceed 20 per cent of such judgment shall be allowed by the court.

This section of law shows that the statement of gentlemen opposing this bill to the effect that this money will go into the pockets of the claim agents who have been bounding this committee and Congress is unfounded. This bill is guarded as closely and strictly as any bill that ever passed this House.

Mr. Samuel W. Smith. Will the gentleman yield?

Mr. STEPHENS of Texas. I will.

Mr. Samuel W. Smith. What is the amount of the claims covered by this bill?



Mr. STEPHENS of Texas. I suppose they will amount to between two and four million dollars, but the recovery can not possibly be more than \$500,000, according to the estimate made by the Attorney General.

Mr. SAMUEL W. SMITH. How many claimants are there? Mr. STEPHENS of Texas. I do not know the number.

Mr. SAMUEL W. SMITH. The amount asked for in this bill is not covered already in the Indian appropriation bill?

Mr. STEPHENS of Texas. It had nothing whatever to do with it. These claims here are of citizens who have been damaged by loss of property, and we are now seeking to recompense them for the loss, just as the act of 1834 and 1891 said they should be recompensed, and as the Government has always done by other citizens.

Mr. CRUMPACKER. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS of Texas. Yes.

Mr. CRUMPACKER. Let me see if I understand the purpose of the bill. As I understand it, the only change that this bill proposes to make in existing law is to amend it so as to include claims of those who were not citizens of the United States, and which claims have been rejected before the Court of Claims upon that ground.

Mr. STEPHENS of Texas. That is right.

Mr. CRUMPACKER. That is the only change proposed?

Mr. STEPHENS of Texas. The only change, and this is done because the claimants could not prove their citizenship; and let me read to the gentleman what the Attorney General says about that. His statement shows that the men bringing these suits believed they were citizens when they brought them; otherwise they would not have brought them:

Mr. THOMPSON. All the previous laws provide that a citizen or an inhabitant may recover, but I have never known a case where a non-resident alien, as you suggest, attempted to prove a claim against the United States. There may be some pending, but I have never had my attention called to them, and I do not think there are any.

Mr. STEPHENS. That question has been adjudicated, has it not, as to the term "nonresident," as to what that meant under the law prior to 1891?

Mr. THOMPSON. I do not think so.

Mr. STEPHENS. But that was the law prior to 1891, was it not?

Mr. THOMPSON. Yes. There has been no reason for the Court of Claims to adjudicate that question, because an inhabitant could not recover.

Mr. STEPHENS. At the time these depredations occurred that was the law; and the word "inhabitant" was the law at the time?

Mr. THOMPSON. Yes, sir.

Mr. STEPHENS. Because all of these depredations occurred before 1891, did they not?

Mr. THOMPSON. Yes.

Mr. STEPHENS. And usually back from 30 to 40 years ago?

Mr. THOMPSON. Yes; the great majority. In fact, I would not know what per cent, but a very large per cent of these cases are for claims where the depredation occurred between 1860 and 1875. From 1860 until 1870 is the larger part, but I should think 75 or 80 per cent of these claims were for property taken between 1860 and 1875.

Mr. STEPHENS. And during that time the inhabitants were entitled to recover?

Mr. THOMPSON. Yes, sir.

Mr. CANNON. Recover against whom?

Mr. STEPHENS of Texas. Recover against the United States, in accordance with the act of 1834, that I read; and when I read it the gentleman from Illinois unfortunately was not present.

Mr. CANNON. Mr. Chairman, I am familiar with this whole matter, I think, and by the act of 1891 the Treasury of the United States was first made responsible. Prior to that time the parties were to be reimbursed from amounts due to the Indians.

Mr. STEPHENS of Texas. Unfortunately, Mr. Chairman, the gentleman has not been present, else he would have noted that the act of 1891 related back to the act of 1834, reestablished that act, and these cases were adjudicated against the United States under that act.

Mr. CANNON. But under all acts the Treasury of the United States was never responsible for one dollar. These people were to be paid from the funds of the Indians. I speak advisedly, after having examined the law closely as well as all the statements of the Attorney General.

Mr. STEPHENS of Texas. If the gentleman will do me the honor to listen a moment, he will see that he is entirely mistaken. I asked Mr. Thompson a question, which brought this answer from him:

Mr. THOMPSON. Yes, sir; that is, whether he was entitled to recover at all. As I stated a while ago, after 1859 the United States was not liable for any Indian depredations at all.

That is where the gentleman has been misled, but listen further:

There was an act passed providing that they should not be liable from that time on for any depredations, so that when these depredations were committed, from 1860 down until 1891, there was no law on the statute books which made the United States responsible at all.

That shows the gentleman was correct.

But when the act of March 3, 1891, was passed the Government provided that the Court of Claims might render judgment against the United States for these claims for Indian depredations, and under that the court held that the law related back to the trade and intercourse act of 1834.

Is not that plain?

Mr. CANNON. It is perfectly plain that it is just exactly as I stated, that the Treasury of the United States was never liable under the act of 1891.

Mr. STEPHENS of Texas. Unfortunately for the gentleman and his great reputation, which he surely deserves, it is not in accordance with the act of June 30, 1834, which I now hold in my hand.

Mr. CANNON. Which was repealed in 1859.

Mr. STEPHENS of Texas. Yes; but reinstated by the act of 1891. That is what the gentleman can not get through his head, and also what other gentlemen opposing this bill can not get through their heads. Here is what the act of 1834 says:

In the meantime, in respect to the property so taken, stolen, or destroyed, the United States guarantees to the party so injured an eventual indemnification.

And yet you say they never agreed to indemnify.

Mr. CANNON. Now, if they were reinstated by the act of 1891, then there is no necessity for this legislation.

Mr. STEPHENS of Texas. The act of 1891 brought into force and effect and renewed the act of 1834.

Mr. CANNON. Then why do you need this legislation?

Mr. STEPHENS of Texas. Because the act of 1834 applied to inhabitants and we want this act likewise extended to inhabitants.

Mr. CANNON. Now, if the act of 1891 had never been passed, you would require legislation, would you not?

Mr. STEPHENS of Texas. The act of 1891 expired in three years, it was limited to three years' time—

Mr. CANNON. Precisely.

Mr. STEPHENS of Texas. But all suits not brought within that time were barred and these are suits that were then filed and dismissed, as I have stated. I will explain to the gentleman that they were brought within three years and the claims only went out of court because they could not show that they were citizens of the United States for the many reasons as I have explained.

Mr. CANNON. Precisely; then you do need legislation.

Mr. STEPHENS of Texas. We need legislation to do justice to these people that have been thrown out of court on a technicality, and who lost their property, and who, under the act of 1834, were entitled to recover.

Mr. CANNON. But, under the act of 1859 they were not entitled to recover, and the gentleman, in other words, desires to fasten upon the Treasury of the United States a lot of State claims that Congress did not see proper to provide for in 1891 and gives a lame excuse. Now, if the majority of this House, being expressly the guardian of the Treasury and against stale claims and for economy and justice and uplift and righteousness, desire to vote this legislation, why they have the power.

Mr. STEPHENS of Texas. The gentleman's statements are correct if they were based upon any facts of law or upon any decisions of the courts; but they are not. I have endeavored to show him that the act of 1834 said that all these losses of inhabitants, as well as citizens, should be indemnified, whether they were citizens or inhabitants.

Mr. BOWMAN. Will the gentleman permit a question?

Mr. STEPHENS of Texas. I will.

Mr. BOWMAN. All of these claims have been paid excepting those that were barred on account of their not being citizens.

Mr. STEPHENS of Texas. On account of their not being citizens or not proving they were citizens; they were inhabitants, but not citizens.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. STEPHENS of Texas. I will.

Mr. BURKE of South Dakota. I wish to say the question asked by the gentleman from Pennsylvania suggests this in regard to the claims that went out of court, and that is when the suits were brought, in practically all the cases, I think I can say, the plaintiffs supposed they were citizens, but for some technical reason when they got into court they were unable to prove they were citizens.

Mr. BOWMAN. I favor the bill.

Mr. STEPHENS of Texas. Mr. Speaker, I believe I have said all I desire, and now I renew my request—

Mr. STEENERSON. Will the gentleman yield?

Mr. STEPHENS of Texas. I will.

Mr. STEENERSON. What court decided these inhabitants were not citizens?

Mr. STEPHENS of Texas. The Court of Claims, of this city. Mr. STEENERSON. Why was it not taken to the Supreme Court?

Mr. STEPHENS of Texas. I do not know whether a case was taken there or not.

Mr. BURKE of South Dakota. There was one case taken to the Supreme Court.

Mr. RAKER. The matter was referred to by me on Thursday in the case of Johnson against The United States, which was taken to the Supreme Court of the United States and affirmed.

Mr. BURKE of South Dakota. I recall the case of the governor of Nebraska.

Mr. RAKER. That is the case of the governor of Nebraska.

Mr. STEENERSON. He was born in a foreign country and lived in the Territory of Nebraska when that State was admitted into the Union, and the Supreme Court held that the admission of the State into the Union naturalized him by act of Congress, because the people were admitted as a State on an equal footing with the other States of the Union. Now it seems to me that there is a complete analogy between admitting that State into the Union and the admission of Texas, and that there is no more reason why an inhabitant of Texas at the time it became a State should not be a citizen than the inhabitants of another State or another Territory that claimed naturalization by the admission of the State into the Union. I do not see any difference.

Mr. RAKER. I have that view and the bill ought to pass to give them relief.

Mr. STEENERSON. I certainly can see no reason whatever why the bill should not pass if the citizens were entitled to the indemnity the inhabitants were, and it is simply a pure and naked technicality that ruled them out. That is the way I understand it.

Mr. STEPHENS of Texas. Mr. Chairman, I would like to ask the gentleman from Illinois [Mr. MANN] as to closing the debate.

Mr. MANN. How much more time does the gentleman desire on his side?

Mr. STEPHENS of Texas. I would like to have 30 minutes.

Mr. MANN. Thirty minutes more?

Mr. STEPHENS of Texas. The gentleman from South Dakota, I believe, desires some time.

Mr. BURKE of South Dakota. As far as time is concerned, I do not care for very much of it.

Mr. STEPHENS of Texas. Will 10 minutes be sufficient?

Mr. BURKE of South Dakota. It will be sufficient for me. I believe I could get along with 5.

Mr. MANN. The gentleman from Texas [Mr. STEPHENS] a few moments ago asked for 30 minutes, and he consumed 45 minutes.

Mr. STEPHENS of Texas. The gentleman must remember that I was answering questions.

Mr. MANN. I have no objection to the time he consumed. Mr. Chairman, how much time was consumed by the gentleman?

The CHAIRMAN. Forty minutes.

Mr. MANN. That would make an hour and 10 minutes on the gentleman's side, and we will take an hour on this side—an hour for those opposed to the bill and 30 minutes for those in favor of the bill.

Mr. BURKE of South Dakota. As I understand it, he proposes to use an hour and give 30 minutes to those who are for the bill.

Mr. MANN. An hour for those opposed to the bill and 30 minutes for those in favor of the bill.

The CHAIRMAN. I would like to ask the gentleman if that does not include the time to be occupied by the gentleman from Mississippi [Mr. Sisson].

Mr. MANN. From now; but I do not make the request.

The CHAIRMAN. The gentleman from Mississippi has been recognized.

Mr. Sisson. I am willing to yield for that purpose if we get an hour on this side and 30 minutes on the other.

Mr. STEPHENS of Texas. Then I make that request.

Mr. BURKE of South Dakota. How is the time to be controlled, Mr. Chairman?

Mr. FOSTER. It is to be controlled by the gentleman from Texas [Mr. STEPHENS] and the gentleman from Illinois [Mr. MANN].

Mr. MANN. It is immaterial who controls the time.

Mr. STEPHENS of Texas. It is immaterial to me.

The CHAIRMAN. The gentleman from Texas [Mr. STEPHENS] asks unanimous consent that general debate close in 1 hour and 30 minutes, 30 minutes to be controlled by himself

and 1 hour by the gentleman from Illinois [Mr. MANN]. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. I yield 10 minutes to the gentleman from Mississippi [Mr. Sisson].

Mr. Sisson. Mr. Chairman, the gentleman from Texas [Mr. STEPHENS] did not state my position on this bill correctly. I have no objection to these depredation claims being paid if they are paid by the parties who committed the depredations or by the tribe to which they belonged. But I am not in favor of the Federal Treasury responding to the torts of Indians or responding to the torts of anybody else.

Now, the gentleman from Texas [Mr. STEPHENS] has not left the proper impression on this House in reference to the law of 1891, because while prior to that time the United States Government guaranteed this indemnity, the Government always compelled the tribal government to make restitution to the Federal Treasury, and up to 1891 that had always been the rule, except after 1859, when these matters were then settled through the Department of the Interior without the intervention of Congress and without necessarily the intervention of the courts. But in 1859 the United States Government served notice on everybody within the United States, including everybody in the West, that in the future it would not be liable and would not even be responsible for depredations committed by the Indians. And from that time down to 1891 these gentlemen may search in vain for any other difference. They may search in vain for any other authority, and that is all they will find. And I am opposed to this bill because it requires the Federal Treasury to respond in damages for the torts committed by some one else. There is no more reason why the Federal Treasury should respond in tort for the protection of the property for the people out West than there is any reason for the Federal Treasury to respond in damages to the torts committed by the people in the Confederate States during the Civil War. There can be no principle either in law or in equity that can make the sovereign responsible for the tort committed either by her citizens or by aliens within her borders or by people who are quasi citizens, as the Indians were within the borders of the United States. Until 1891 there was not a moment in the history of the Government of the United States when the Government did more than collect the money out of the tribal funds of the Indians. And if these gentlemen are now willing that the United States Government may cause the Indian to respond to these depredations, I have no sort of objection to it, but I do object to the Federal Treasury responding in damages, as stated in this bill.

Mr. GARNER. The gentleman does think that the damages prior to 1891 were an unjust obligation against the Government?

Mr. Sisson. I do, indeed, sir.

Mr. GARNER. Was an unjust judgment against the Government?

Mr. Sisson. I do, indeed.

Mr. GARNER. They ought to have gone to the Indian tribes in each instance to recover the money?

Mr. Sisson. Exactly. I do not believe that two wrongs make a right. I do not believe that, because the act of 1891 repealed the act of 1859 and added to the act of 1835 a right against the Government, which the citizens or inhabitants did not have at that time, we should now renew that provision. I believe that so much of that act as gave them that right was wrong and ought never to have been engrafted on the statute books.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Minnesota?

Mr. Sisson. I do.

Mr. MILLER. Is the gentleman aware of the fact that under the act of 1891 and under the law as proposed to be amended by this bill the Indian tribes are still subject and liable to the payment of any damages that may be recovered?

Mr. Sisson. Yes. But if a corporation injures me and I wait until the corporation goes into liquidation or goes out of existence it ought not to give me any right of recovery of damages then against the Government. If those people failed to prosecute their claims against the Indian tribes while the tribes were still in existence, they ought not now to be allowed to come in and take advantage of the laches and ask the United States Government and the American people to respond in damages, because the Government can not get back the money from the Indians.

Mr. MILLER. I just called the gentleman's attention to the fact that the Indian tribes are still liable, in view of the statement he has made.

Mr. Sisson. It does not change the rule. It does not change the principle.



Mr. MILLER. Oh, yes; it does.

Mr. SISSON. If that be true, the Court of Claims that ordered the payment of this money ought never to have done so until it could get the money back from the Indian tribes.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Illinois?

Mr. SISSON. Yes.

Mr. MANN. Was not the law from 1859 and from 1891 until now that any of these depredations should be a liability against the Indian tribes?

Mr. SISSON. Exactly.

Mr. MANN. That did not go in the act of 1891?

Mr. SISSON. Of course not.

Mr. MANN. That was the law all the time.

Mr. MILLER. That has always been the law and is now.

Mr. MANN. Then, if the Indian funds can be used in payment of these depredations, why do they come and ask the Government of the United States to pay them?

Mr. SISSON. Yes; and that is the reason why this law should not pass. There is no reason why this law should be passed and the Federal Government required to pay damages. There is no one in this House who could make a stronger personal appeal to me than the gentleman from Texas. I have great respect for the gentleman from Texas, but I differ with him on this matter, because I differ with him on a question of principle, and I am not endeavoring to put the gentleman from Texas in a false light. I believe he is doing what he thinks is right, but when he accuses me of being unfair he ought to know that while sometimes I may be overenthusiastic, I have made an effort all my life to try to be at least fair; and if there is one thing in my whole character of which I try to be proud, it is that I try to have some old-fashioned domestic honesty. [Applause.]

What I feel about this I feel intensely, and if I did not speak here what I feel in this matter I would be untrue as a Representative to the constituents I represent, so that I do not believe that the gentleman from Texas ought to have stated that I have acted unfairly and that I undertook to make an unfair statement. On the contrary, I have always said that if he can give me the necessary information I would be open to conviction as to the propriety of his position.

But he can not do it now. He can only guess at it. He may come near the same township or range of it, but I do not know how he can come closer than that to it. He can not give us the names of the claimants or the amount of the damages claimed in each case. He can not do that. He says in so many words that it will amount to about \$500,000, and perhaps more. If that be the fact, he could get, by writing a letter to the Interior Department or to the Court of Claims, the name of each litigant and the amount sued for and the evidence in each case, and show Congress exactly what it would cost. But he has declined to do that, and it would be a mere speculation at best as to whether it will be \$500,000 or more. The gentleman from Texas can not make any more definite statement than he has made already, notwithstanding the fact that he has had a whole week since this bill was up for consideration before and since he was catechised about it and asked about it. He has had a whole week since then.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Ohio?

Mr. SISSON. Yes.

Mr. LONGWORTH. I understood the gentleman from Texas to state a few minutes ago that it would amount to \$4,000,000.

Mr. SISSON. Here is what the gentleman from Texas says: That the amount of claims sued for would be \$4,000,000, but that, although the suits would be for \$4,000,000, he has assurance from the Attorney General that the recoveries would be limited to about \$500,000.

Now, it is upon that broad statement—the difference between \$500,000 and \$4,000,000—that he asks this Congress to pass this act. He does not know whether it will be \$500,000. He can not tell whether it will be \$1,000,000; he can not tell but that it might be \$4,000,000, because the court would not be bound by the opinion of the Attorney General.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER. I want to ask the gentleman a question.

Mr. SISSON. I will yield if I can get the time.

Mr. MANN. I yield to the gentleman such time as is necessary.

Mr. MILLER. If we were at the beginning of all legislation on this subject and if the past were a clean sheet of paper,

with nothing written upon it, and it was necessary to pass legislation giving the right of recovery to people in the United States for Indian depredations, would the gentleman be in favor of excluding inhabitants and limiting the right of recovery to citizens?

Mr. SISSON. I would not if an Indian committed a wrong and the money would come out of the pockets of the Indians and if the claimant was rightfully in the place where the depredation occurred.

Mr. MILLER. Then I do not understand how the gentleman can be opposed to this removal of a condition which he says he would not favor as an original proposition.

Mr. SISSON. Because I would not favor paying this money out of the Federal Treasury at any time, and I am unwilling that it should be paid out now.

Mr. MILLER. Then it is a matter of the broad proposition of passing any such legislation at all and not this one feature of it of which the gentleman spoke.

Mr. SISSON. Yes.

Mr. MANN. Mr. Chairman, I wish to occupy a few minutes on this matter, and I should like to call the attention of the committee to a very brief résumé of the situation.

Originally the Government passed a law providing that if Indians came out of the Indian country into the Territories or States, and committed depredations the Government would be responsible for the damages, and would endeavor to collect the damages from the Indians but would pay the damages whether they were collected or not.

In 1835 Congress extended that law, and provided that if the depredations were committed in the Indian country against persons lawfully there the Government would pay the damages, again attempting to collect them from the Indians.

In 1859 Congress repealed the law that provided for any indemnification out of the Federal Treasury, still leaving the law so that if depredations were committed against persons lawfully where they were the Government would attempt to collect the damages from the Indian tribes. That was the act of 1859. Between the act of 1859 and the act of 1891 there was no liability assumed by the General Government to pay damages out of the General Treasury for any Indian depredations whatever, the Government still assuming the effort to collect the damages from the Indian tribes.

In 1885, or thereabouts, the persons who had claims for depredations obtained the passage through Congress of a provision of law requiring the Secretary of the Interior to make a report in reference to damages by reason of Indian depredations, and if I recall rightly it was stated at the time that law was passed that the total amount of these claims would be a very few million dollars.

Just what those amounts were, as reported, I do not recall, but in 1891 Congress passed a law providing that these claims, when belonging to citizens of the United States, might be presented to the Court of Claims within three years thereafter, and assuming that they should be paid out of the Federal Treasury if they could not be collected from the Indian tribes, the General Treasury being responsible. Such was the law and such is the law now.

What has resulted from the legislation already enacted?

With the primary liability against the Indian tribes, which has existed for more than a century, with the liability added in 1891 in favor of citizens of the United States to be paid out of the Federal Treasury, from what have the claims been paid up to date?

Originally assumed to be but a small amount we have already paid claims to the amount of \$4,946,999.38, and of these nearly \$5,000,000 of claims which have been allowed under the act of 1891, with the primary liability against the Indian tribes, \$50,085.45 have been paid out of the funds of the Indian tribes. Nearly \$5,000,000 has been paid out of the Federal Treasury under the act of 1891, being more than the gentlemen who originally advocated the legislation said the entire claims would amount to, and there are \$10,000,000 or \$12,000,000 of claims still pending and unpaid.

There are \$10,000,000 or \$12,000,000 of claims still pending. There was no liability on the part of the Government to either citizens or inhabitants from 1859 to date. Misled by the statements which were originally made, Congress has provided for and paid nearly \$5,000,000 of these claims to citizens. No one knows, and I challenge any member of the Committee on Indian Affairs to say, what amount of claims are now pending in behalf of inhabitants as against citizens. Does anyone answer? How many claims are pending and what do they amount to now in behalf of inhabitants which would be carried by this bill? Can the gentleman from Texas tell, can the gentleman from South Dakota tell, how much are they?

Mr. STEPHENS of Texas. I do not think anyone can tell, because there are so many claims, and they have been filed at different times.

Mr. MANN. The claims are on file. Anyone can tell who will examine the records in the office of the Court of Claims, and no one in favor of the bill has dared to do it. No one knows how much the claims will amount to. The attorney for the Government has stated that, in his opinion, the claims which would be allowed would not amount to more than \$500,000, but he states that he does not know, and no one knows. The original claims were not estimated to amount to more than \$2,000,000 or \$3,000,000, and yet we have already paid \$5,000,000, and there are \$10,000,000 or \$12,000,000 still remaining. Who can say what this will cost?

We never promised to pay a dollar to these people except out of the funds of the Indian tribes. Let the gentlemen produce their claims in a proper manner and have them paid out of the funds of the Indian tribes. A moment ago the gentleman from Texas stated that the Indian tribes were amply able to pay these claims. Then let them be paid out of the funds of the tribes who committed the depredations. There is no reason why the General Government should be involved in the further payment of these claims. If this bill be passed, the next bill will be to strike out the amnesty provision and pay \$8,000,000 or \$10,000,000 more of claims.

Mr. KENDALL. Will the gentleman yield?

Mr. MANN. I will.

Mr. KENDALL. Was not that in the bill in the Sixty-first Congress and in the bill in this Congress when first introduced?

Mr. MANN. I do not know; I think it was not in this bill.

Mr. KENDALL. It was in the old bill.

Mr. MANN. It only requires the striking out of four words in this bill to add \$10,000,000 to the liability.

Mr. KENDALL. One other question. Is it not true that all claims that this bill is intended to relieve accrued at a time when the law limited the recovery to citizens entirely?

Mr. MANN. The law did not provide for the recovery by citizens or anybody else during the time that the most of these claims accrued. Those that are older than 1859 arose at a time when the law did provide for the payment. How many claims are older than 1859 no one knows.

Mr. COOPER. Will the gentleman yield?

Mr. MANN. I will.

Mr. COOPER. I see that the third proviso reads as follows:

*Provided further*, That nothing in this act shall be construed to authorize the presentation of any other claims than those upon which suit has heretofore been brought in the Court of Claims.

Now, it ought to be an easy matter to determine by computation the aggregate of these claims. What is the difficulty about it? The gentleman from Texas said that he could not tell.

Mr. MANN. I do not know of any difficulty. The gentleman prefers to say that the total amount of claims, when paid, will not amount to more than \$500,000, but they have not dared to tell the House how much the claims amount to.

Mr. STEPHENS of Texas. I have stated several times that it amounted to about \$4,000,000, and I base it upon the statement of Mr. Thompson.

Mr. MANN. Where is the statement of Mr. Thompson on the subject?

Mr. STEPHENS of Texas. I read it to the gentleman a few moments ago.

Mr. MANN. I have read the statement of Mr. Thompson, and I could not find it.

Mr. COOPER. If the gentleman from Illinois will allow a further interruption. This whole subject is new to me, and I presume it is to the majority of the House. See if I understand the proposition. The Indians committed depredations and destroyed the property alike of citizens and aliens. The citizens had access to the Court of Claims, and their claims were presented and adjudicated. The aliens likewise presented their claims to the Court of Claims, but were not allowed because of the fact that they were aliens. Now, then, this third proviso, as I understand it—and that is the whole point in the bill—permits these people who lost property by depredations to present claims and have them adjudicated, as was the case with those who were citizens, and the proviso limits it strictly to claims upon which suit has heretofore been brought in the Court of Claims. It ought not to be very difficult to determine the number of those claims and approximately an accurate amount that will be recovered.

Mr. MANN. I think myself it ought not to be difficult. The gentleman will remember this in reference to these alien claims: Under the law it was made illegal for these aliens to go into the Indian territory without a special passport from the War Department. They went there contrary to the pro-

visions of the law. They took their own risk, and they had no license. Having violated the law, which forbade them to go into the country, they then turned around and asked Congress to reimburse them; but the original law did provide for the payment of damages to inhabitants. When we passed the act of 1891 we limited recovery to citizens. Many of the aliens filed claims, and those claims were rejected because they were not citizens.

Mr. COOPER. Mr. Chairman, the suggestion of the gentleman is that many of these aliens or other people went into this Indian territory in violation of law and there had their property destroyed. The first proviso of the bill reads:

That the privileges of this act shall not extend to any person whose property at the time of its taking was unlawfully within the Indian territory.

Does not that meet the suggestion just made by the gentleman from Illinois?

Mr. MANN. It does not. I called to the attention of the House the other day the fact that if the law provided that the provisions of the bill should not extend to any person who himself was unlawfully in the Indian territory it might be of some value, but that is not the case. The man would be unlawfully within the territory. The property would not be unlawfully within the territory.

Mr. COOPER. This says "whose property at the time of its taking was unlawfully within the Indian territory."

Mr. MANN. The individual would be unlawfully within the territory, but the property was not unlawfully within the territory.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. GARNER. If an amendment were adopted covering that defect, if it is a defect, in the bill, would the gentleman then vote for the bill?

Mr. MANN. I would not, but I propose to offer an amendment to cover that defect, if it shall be passed.

Mr. GARNER. And I hope the amendment will be adopted.

Mr. MANN. But my objections to the bill are broader than that. We were under no obligation to these people. If there were Indian depredations committed against them, they had a method under the law of filing their claims at the time with the War Department and having those claims paid out of the property of the Indians. If they did not pursue that remedy that was their fault and no fault of the General Treasury.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. LONGWORTH. Did I understand the gentleman to say that not more than 1 per cent of the primary liability has ever been collected from the Indians?

Mr. MANN. Yes; from the Indians.

Mr. LONGWORTH. Fifty thousand dollars, in round numbers, out of \$5,000,000, in round numbers?

Mr. MANN. Yes; in round numbers.

Mr. LONGWORTH. Whose fault is that?

Mr. MANN. I suppose it is the fault of Congress. In the first place, we paid the claims out of the General Treasury, and then some of our friends interested in these matters inserted a provision that, having been paid out of the General Treasury, the Treasury was not to be reimbursed out of the Indian funds, unless the Secretary of the Interior thinks it can be done without in any way injuring the support, maintenance, or civilization of the Indians. That is a recent law.

Mr. STEPHENS of Texas. Mr. Chairman, I have now the figures which the gentleman asked me for a few moments ago. This is the statement made.

Mr. MANN. From what page of the report is the gentleman reading?

Mr. STEPHENS of Texas. Page 16 of the report, near the top, the first question:

The CHAIRMAN. As I understand it, it is your judgment that if this bill were to become a law the total amount that would probably be recovered would be somewhere about \$4,000,000?

Mr. THOMPSON. Yes; it would be about \$4,000,000, including citizenship cases. The last estimate we made was \$3,750,000, two years ago. As I have before explained to the committee, that depends a little upon the number of cases that would go off by reason of other defenses, but taking eight and a half million dollars as a basis of claims that would go to judgment and that are subject to the defense of amnesty, and taking 40 per cent of them, which has been the percentage that has been allowed, it would make \$3,400,000; and then in addition to that a half million dollars on account of the removal of the bar of want of citizenship would make it, in round numbers, about \$4,000,000.

That is just as I stated—of which \$500,000 would be recovered.

Mr. MANN. I understand; but we have no statement whatever as to what the exact amount is, although it is easily obtainable. The estimate of the department that the claims amount to \$4,000,000, which the gentleman has stated, would



only result, according to the statement of the Attorney General, in judgments amounting to about half a million dollars, but no one knows the amount of either the claims or the amount of the judgments, when the first could easily be ascertained by the committee on examination.

How much time have I remaining, Mr. Chairman?

The CHAIRMAN. Twenty-eight minutes.

Mr. MANN. Mr. Chairman, I reserve the balance of my time.

Mr. STEPHENS of Texas. Mr. Chairman, I desire to get the attention of the gentleman from Illinois. Does the gentleman propose to close in one speech?

Mr. MANN. No.

Mr. STEPHENS of Texas. Then will the gentleman please use some of his time?

Mr. MANN. Does the gentleman propose to close in one speech?

Mr. STEPHENS of Texas. No.

Mr. MANN. Then go ahead.

Mr. STEPHENS of Texas. The gentleman has a great deal more time than I have.

Mr. MANN. Oh, no; the gentleman has 30 minutes and I have 28.

Mr. STEPHENS of Texas. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. McGUIRE].

Mr. McGUIRE of Oklahoma. Mr. Chairman, these claims have taken a great deal of the time of the Committee on Indian Affairs. That committee has gone very carefully into the merits and this bill is the result of several years of investigation, and careful investigation, by that committee. The House will observe the nature and character of the arguments, which I am not disposed to criticize, that have been offered against this bill. For instance, the gentleman from Illinois [Mr. MANN] dwelt upon the amount which might be recovered, the judgments which might be obtained against the Government of the United States. Observe, regardless of the merits, regardless of the obligation or its character, regardless of the question of whether the United States owes these people, among the most needy in all the country, the gentleman from Illinois [Mr. MANN] and the gentleman from Mississippi [Mr. Sisson] would have us hang this bill upon the one question as to the amount that might be recovered by these people. Gentlemen, I have never been in favor of repudiating a national or an individual obligation. I have had obligations large enough for me to have liked to repudiate them; but, unfortunately possibly for me and fortunately for the other fellow, I have never reached that point. It seems to me that the one question for us, as the Representatives of the people and as guardians of the Treasury of the United States, the one question for us to determine is, Is this an honest obligation upon the part of the Government of the United States to these people, these frontier settlers in those days? And let me tell you, if the law of 1834 did not provide for the payment of these obligations, if the law of 1891 did not provide for the payment of these obligations, then it is the duty of the Government of the United States now to pass such a law as will provide for the payment of the honest obligations of the Government, and it does not seem to me that the question as to the amount should figure to any very great extent while we are considering these obligations. Why, gentlemen—

Mr. BOWMAN. Or the citizenship.

Mr. McGUIRE of Oklahoma (continuing). The Government of 100,000,000 of people, in my judgment the ablest Government among the civilized nations to take care of its people who went to the front, who were the pioneers of Texas, of Oklahoma, of Colorado, of New Mexico, and Nebraska; the people who had faith in the Government and who believed ultimately that every dollar's worth of property that they lost by reason of these warlike people would be returned, should pay its just obligations. Here are claims that have been pending for years, a positive disgrace to the representatives of the Government. I would guard the Treasury as carefully as any person. I would not want to see one dollar leave the Treasury of the United States that did not go to pay an honest obligation, but if we owe these claims they should be paid.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEPHENS of Texas. Mr. Chairman, I yield five minutes to the gentleman from South Dakota [Mr. BURKE].

Mr. BURKE of South Dakota. Mr. Chairman, this bill has been discussed to such an extent that it would be rather difficult for me to enter into any extended discussion of it without going over the ground that has been gone over and over and over. I think that some gentlemen in the House are too serious in their objection to this bill. This proposition has been before Congress and before the Committee on Indian Affairs ever since I have been a Member. It has been repeatedly favorably reported and was reported in the last Congress by the Committee

on Indian Affairs, of which I then had the honor of being the chairman. The committee found that there were a large number of claims pending, aggregating several million dollars; that if the law was changed so that the amity requirement should be eliminated a large recovery could be had against the United States. We found that the claim attorneys or the so-called claim agents were concerned mostly with regard to amending the law in that particular. We concluded that this part of the proposed change in the law that permitted an inhabitant to have the right to recover the same as a citizen was wise, and it would take away largely the arguments that were being used to get a change of the law as to amity. As I have already indicated in questions that I have asked, we find that in practically all of the cases that would be reinstated if this bill becomes a law the plaintiff brought suit believing he was a citizen of the United States. Many of them had served in the Civil War and had an honorable discharge. Some had served in public office; some had been members of grand juries where the question of citizenship was inquired into, and they were considered to be citizens; and we believed, and we still believe, that that class of people ought to have the same right to recover as those who could show technically that they are citizens.

I want to say further that we were convinced that there could not possibly be recovered judgments to exceed \$500,000 by the passage of this bill. And it is my opinion that is the maximum amount that can be recovered. We had before the committee the Assistant Attorney General from the Department of Justice, who has had charge of the defense in the Court of Claims in this class of claims, and he stated to the committee, as you will see by examining the report which has been filed upon this bill, that the amount would not exceed \$500,000, and it has been estimated that it might not exceed \$300,000. I agree with all the gentleman from Illinois, Mr. MANN, has said and all the gentleman from Illinois, Mr. CANNON, has said—that if this bill was to be amended so that amity was not required it ought not to pass, and I would be opposed to it.

I stated in the last Congress what I understand the chairman of the committee in this Congress has stated, and probably will state again, that if this bill passes the House in the form in which it is reported and it is amended in another body, so far as he can control it there will be no opportunity for the House to concur in that amendment.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. STEPHENS of Texas. I yield to the gentleman from South Dakota two minutes more. In this connection I desire to state that I concur in what the gentleman from South Dakota says as to the amendment, if the Senate should put it on.

Mr. BURKE of South Dakota. Now, it will be said that the chairman of the committee can not control what has happened so far as this bill is concerned. I think every Member here is sufficiently familiar with the practice in regard to bills that may be amended after they leave here and when they are returned, so that where the chairman of the committee states that he will see that no motion is made to concur and the bill will not pass in the form in which it may have been amended, there is no possibility of its becoming a law. I think there need be no misapprehension that this bill will be amended as has been suggested by the gentleman from Illinois [Mr. MANN] and his colleague [Mr. CANNON]. I say that this is an honest proposition. I do not think it makes a particle of difference what the amount may be that is involved. I think it is a fact that it will not exceed \$500,000, but that does not change my position touching the question. These people brought their cases within the time provided by the law of 1891; they believed they were citizens of the United States, and simply because they were unable from some technical clause to prove their citizenship, their suits failed; and I say it is only right, honest, and proper that they should be given a status so that they may recover.

Mr. STEPHENS of Texas. Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman from Texas has 18 minutes remaining.

Mr. STEPHENS of Texas. I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I am one of those who believe that the amity clause should be stricken from this bill; that it should never have been written into the law. But I realize how utterly impossible it is at this time, and how utterly impossible it is likely to be at any time, to get the House to strike out the amity provision in the Indian depredation law. And, therefore, I do not desire to in any way stand in the way of the passage of this legislation by urging such an amendment as I believe ought to be adopted.

This bill, at least, should pass. And I want to call the attention of the gentleman from Illinois [Mr. MANN] to a fact which I think is well known to him, if the gentleman from Illinois will give me his attention.

Mr. MANN. I always give attention to the gentleman.

Mr. MONDELL. It is well known to him, but perhaps temporarily overlooked. I refer to this fact that we have always had among our population a large number of foreign-born people. We have to-day, and always have had in the past, men coming to our country from foreign shores and settling in different parts of the country and in time declaring their intention to become citizens and later become citizens. When we had a frontier inviting adventurous spirits, many men came to our shores who went directly to the West—Frenchmen from Canada, Germans, Scandinavians, and other men of various nationalities. They went to the western plains and mountains, into the Indian country, so called. It was utterly impossible for them, in many instances, to make a declaration of their citizenship. I have been personally acquainted with many such men, who have performed for years and years all the duties of citizenship, who voted, served on juries, were elected to office, served in the Army, and who have been among our very best citizens, and who forgot in the passing of the years that they had overlooked the slight preliminary of declaring their intention to become citizens of the United States, but who considered and believed themselves to be citizens. And it is this class of men who will be relieved by this legislation, men who were in the main just as good American citizens as we have ever had under the flag, men who performed all the duties of citizenship, men who, as I have said, held office and served in our Army.

I have in mind one such case, John, or "Portuguese," Phillips, as he was called, who came to Wyoming a great many years ago. He was one of the finest pioneers we ever had in our State, a man of wonderful physical bravery, and a man of wonderful energy, and a good citizen in every way. He helped in the formation of our Territory. He voted and held office. He served as a justice of the peace on the frontier, and had a very wide reputation in that capacity in that he did not always realize the limitations of his jurisdiction. He finally passed away, and his heirs presented a claim, an exceedingly meritorious one, but when that claim came to be considered it was discovered that Phillips was not a citizen of the United States. It is true that upon one occasion this man rode 150 miles in the dead of winter, at night, through the Indian country—

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. May I have one minute more?

Mr. STEPHENS of Texas. Mr. Chairman, I yield one minute more to the gentleman.

Mr. MONDELL. He rode 150 miles in the dead of winter at night, hiding during the day, through the Indian country, to carry to the settlements the news of the beleaguering of Fort Phil Kearney by the Sioux under Red Cloud, and but for that ride the entire garrison of that post would have been wiped out by the hostile Sioux then beleaguering the garrison. But he was not a citizen, and when his case came to be passed upon it could not be paid. That claim was afterwards paid by a special act of Congress, passed in recognition of his remarkable services.

He is but an example of the kind of men whom this bill would relieve—the finest type of frontiersmen in the West; men who were too busy to go to the courts and go through the preliminaries of making a declaration of citizenship, but who, almost every one of them, were citizens in the highest and best and truest sense of the word, and who spent their entire life in the West. This bill would relieve some of those people. [Applause.]

Mr. STEPHENS of Texas. Will the gentleman from Illinois use some of his time?

Mr. MANN. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Chairman, I am opposed to the passage of this bill. I say so rather regretfully, because I have the highest respect for the gentleman from Texas [Mr. STEPHENS] and the membership of the Committee on Indian Affairs. But, looking upon the proposition as I do, I can not conscientiously give it my support.

The gentleman from Oklahoma [Mr. McGUIRE] has assumed that those who are opposed to the passage of this bill are endeavoring to have the Government repudiate an honest obligation. He has assumed that the claims of these parties who are seeking to recover, and who will be entitled to recover if this bill is passed, constitute an honest obligation against the Government. So far as I have heard, he is the only gentleman who has maintained that proposition.

This, Mr. Chairman, as I view it, is not an obligation on the part of the Government. The Government is under no obligation to pay these claims. As a matter of fact, prior to the year 1834 the Government had never adopted the policy of paying out of its Treasury damages for depredations committed by Indian tribes. Prior to that time such damages were recovered out of the funds belonging to the Indians. It is true that in 1834 Congress did pass an act which provided that the Federal Treasury should be responsible for depredations of Indians, provided the annuity going to the Indians was not sufficient to pay the claims. But that act was repealed expressly in 1859, and Congress declared in that year that the Treasury would not thereafter be responsible for any depredations committed by Indians, and that is the law to-day. Therefore I say there is no obligation on the part of the Government, in the sense to which the gentleman from Oklahoma referred, to pay these claims.

Now, what are we asked to do? We are asked to pass a bill which the gentleman from Minnesota [Mr. MILLER] said last week involved between two and three million dollars in claims.

As I understood the gentleman from Texas [Mr. STEPHENS] a few minutes ago, he stated that it would involve possibly \$4,000,000 in claims. Now, it is true that the Assistant Attorney General has estimated, and gentlemen on the floor have stated, these claims when adjudicated will probably not amount to more than \$500,000. But that is a matter of conjecture. We have no statement before Congress showing to whom these claims belong. We do not know whether they consist of two or three or whether they consist of many. We do not know anything about the amount of the attorneys' fees involved, whether the greater part of these claims would go to the attorneys or whether the money would go to the claimants themselves. And I say, in view of these facts, that Congress ought not to put itself on record in favor of paying these claims out of the Federal Treasury, especially since the gentleman from Minnesota and other gentlemen say that the tribes to which these Indians belong have funds out of which these claims can be paid to-day, and there is a law on the statute books which permits recovery out of those funds.

This proposition has been pending before Congress or its committees for many years. Two years ago, when I had the honor to be a member of the Committee on Indian Affairs, it was before the committee, and was favorably reported from that committee and placed upon the calendar, but it did not come up in the House. I was opposed to it at that time for the same reason that I am opposed to it now. I do not believe it is right to vote the people's money out of the Treasury to pay these claims of aliens for property destroyed in the seventies, 10 or 15 years after the passage of the act of 1859, which put these claimants on notice that this Government would not be responsible for their property if it should be taken or destroyed by the Indians.

If Congress passes this bill and undertakes to give these inhabitants who brought their suits in 1891, or within three years thereafter, the right to go into the Court of Claims and recover, I predict that the next proposition will be to strike out of the act of 1891 the word "amity," thereby involving an additional expense to this Government of probably \$11,000,000.

Mr. MANN. Will the gentleman yield?

Mr. BYRNS of Tennessee. Certainly.

Mr. MANN. We provide in this bill that inhabitants may recover claims, limiting it only to those who filed claims under the act of 1891. If we do that can anybody then oppose a bill to let in inhabitants who did not file their claims?

Mr. BYRNS of Tennessee. Certainly not, in a spirit of fairness and justice. This bill, as the gentleman from Illinois suggests, applies only to those who filed their claims in 1891 or during the existence of that act, which was three years. Now, if we pass this bill giving relief to these parties who came into court and undertook to set up their claims in spite of the fact that they were not included in the statute, as a matter of common justice and fairness we can not deny the same right to those inhabitants who failed to go into court under that act, because they realized that the act did not apply to them. In that sense, this bill as it is drawn is an unjust discrimination against the alien who knew the law and abided by it, and in favor of the alien who sought to recover in spite of it. Now, Mr. Chairman, the Secretary of the Interior is opposed to this bill. It was sent to him during a previous Congress and he had this to say about it. After speaking of other provisions in the bill he said, in a letter addressed to the Committee on Indian Affairs, dated December 30, 1909:

There does not appear to be any good reason why the claims of the persons who were not citizens of the United States should be paid by the Government.



I do not see why this Government should be responsible to the claimants under this bill, or to any other person, for torts committed by individuals in this country. We are setting a bad precedent if we undertake to enact any such legislation. I yield back the balance of my time.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MURRAY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 19638. An act to authorize the San Antonio, Rockport and Mexican Railway Co. to construct a bridge across the Morris and Cummings Channel; and

H. R. 20117. An act to authorize the Nebraska-Iowa Interstate Bridge Co. to construct a bridge across the Missouri River near Bellevue, Nebr.

The message also announced that the Senate had passed with amendment the bill (H. R. 16306) to provide for the use of the American National Red Cross in aid of the land and naval forces in time of actual or threatened war.

The message also announced that the Senate had passed bills of the following title, in which the concurrence of the House of Representatives was requested:

S. 2270. An act to provide for the erection of a public building at Richfield, Utah;

S. 5333. An act to authorize the widening and extension of Spring Road NW., and for other purposes; and

S. 5355. An act to acquire a site and for the erection thereon of a public building at Beaver Dam, Wis.

#### INDIAN DEPREDACTION CLAIMS.

The committee resumed its session.

Mr. STEPHENS of Texas. Will the gentleman from Illinois use some of his time?

Mr. MANN. How many more speeches are to be made on the other side?

Mr. STEPHENS of Texas. We have two.

Mr. MANN. Then the gentleman had better use some of his time.

Mr. STEPHENS of Texas. I will yield to the gentleman from Minnesota [Mr. MILLER]. He does not seem to be in the Chamber at this time.

Mr. MANN. Then will the gentleman have but one speech?

Mr. STEPHENS of Texas. One more.

Mr. MANN. With that understanding, Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. FITZGERALD]. Before the gentleman from New York takes the floor I would like to ask unanimous consent to extend my remarks in the Record by inserting a letter received from the Secretary of the Treasury relating to this subject.

The CHAIRMAN (Mr. FINLEY). The gentleman from Illinois asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

The following is the letter referred to:

TREASURY DEPARTMENT,  
Washington, April 16, 1912.

Hon. JAMES R. MANN,  
House of Representatives.

SIR: By direction of the Secretary and in reply to your verbal request for information relative to payments from the Treasury, or from Indian tribal or trust funds, on account of judgments of the Court of Claims in Indian depredation cases, under the provisions of section 6 of the act of March 3, 1891 (26 Stat., 853), I have the honor to advise you that payments have been made as follows:

Indian depredation judgments paid out of the general fund of the Treasury from the passage of the act of March 3, 1891, to December 31, 1911, no part of which has been reimbursed; the total thereof remaining as a charge against the Indian tribes committing the depredations, as adjudged by the Court of Claims	\$4,896,913.93
Indian depredation judgments paid out of Indian funds or moneys from March 3, 1891, to December 31, 1911, upon certification of the Secretary of the Interior, made in accordance with section 6, act of March 3, 1891, and acts making appropriations for payment of such judgments:	
From interest due on tribal trust funds.	\$46,185.45
From Indian moneys, proceeds of labor (Crow Indians)	525.00
From appropriation for "payment of Indians of Klamath Agency"	3,375.00
	50,085.45
Total of all judgments paid	4,946,999.38

The act of March 3, 1891, section 6, prescribes the mode of payment of Indian depredation judgments, and appropriations for such judgments are made subject to its provisions, the Secretary of the Interior certifying in each case that the tribe chargeable with the amount of the judgment has no funds or appropriations for their benefit from which payment can be made, having regard for the educational needs of the tribe.

The tribal trust funds, the interest of which to the extent of \$46,185.45 has been applied to the payment of judgments, are funds derived mainly from sales of Indian lands.

The trust fund "Indian moneys, proceeds of labor, Crow Indians," out of which a judgment for \$525 was paid, was derived from miscellaneous sources.

The appropriation for "payment to Indians of Klamath River," of which \$3,375 was applied to the payment of a judgment, was made by the Indian appropriation act of June 21, 1906 (34 Stat., 367), in consideration of lands ceded by the Indians.

No judgments have been paid from any annuity or other appropriation or from any fund arising from sales of land, or otherwise than as herein stated.

Respectfully,

A. PIATT ANDREW,  
Assistant Secretary.

Mr. FITZGERALD. Mr. Chairman, how much time have I? The CHAIRMAN. The gentleman is recognized for 20 minutes.

Mr. FITZGERALD. Mr. Chairman, the gentleman from Tennessee [Mr. BYRNS] has just emphasized one feature of this measure to which attention had not been called. Under the act of 1891 the Court of Claims was given jurisdiction of claims of citizens of the United States, and a limit of three years was fixed as the time within which such claims might be filed.

This bill is advocated on the ground that a number of those claiming to be citizens of the United States in the adjudication of claims filed under that act, for some technical reason have been held not to be citizens. It is now proposed to reinstate and to give a right to prosecute the claims of all persons who have taken advantage of the act of 1891 and filed their claims claiming to be citizens and who have been held by the courts not to be citizens.

No one could defend the action of Congress in refusing to further extend the right to present such claims to persons not citizens of the United States if this act be passed. Those who pretended or claimed to be citizens, and who filed claims within the three-year period, are now asking to have taken away the defense that the Government was able to set up because they were not citizens. The inhabitants of the United States not citizens who had these claims and did not present them should be given an equal opportunity to present such claims as those who, not citizens, took advantage of the act under which they had no claims.

I was pleased to hear the statement of the gentleman from South Dakota [Mr. BURKE], reaffirmed by the gentleman from Texas [Mr. STEPHENS], that if this bill were so amended in the Senate as to eliminate the amity provision from the law they would not support such amendment. I recollect that in the Fifty-eighth Congress the gentleman from South Dakota reported a bill which proposed to eliminate the defense of amity as well as citizenship, and the gentleman from Texas was one of the committee who joined in making the report. Minority views were filed at the time, in March, 1905, and a report signed by the present Vice President, Mr. SHERMAN of New York; by Mr. CURTIS of Kansas, new Senator, well known as one of the best-informed men on Indian legislation that Congress has known for many years; by the gentleman from Iowa, Mr. Lacy, at that time chairman of the Committee on the Public Lands as well as a member of the Committee on Indian Affairs; by Mr. Knapp of New York, and myself.

Since that time numerous bills have been introduced for the purpose of removing the defenses of citizenship and of amity in these Indian depredation cases.

Mr. STEPHENS of Texas. Will the gentleman yield, with reference to that report?

Mr. FITZGERALD. Yes.

Mr. STEPHENS of Texas. Is it not a fact that the bill against which that adverse report was made contained the amity clause, and did not those who signed the adverse report make their objection to the bill mainly on the amity clause and not on the citizenship clause?

Mr. FITZGERALD. Mainly on the amity clause; but also, as the report will show, upon the citizenship clause. Mainly upon the amity clause, because of the fact that the claims that would be sustained against the Government with that defense eliminated were shown to be in the neighborhood of \$12,000,000 or \$13,000,000. Therefore they very greatly overshadowed those that would be sustained if the citizenship defense were removed.

Mr. GARNER. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. GARNER. I understood the gentleman a moment ago to say that if the original act of 1891 was good law, then it ought to have included all inhabitants.

Mr. FITZGERALD. I did not mention anything about the act of 1891 being good law, or bad law, or anything about it.

Mr. GARNER. I will ask the gentleman this question, then: If he approves the act of 1891 as applied to a citizen, does he see any objection to giving an inhabitant the right to recover under that same act?

Mr. FITZGERALD. I would not have voted for the act of 1891 had I been in Congress at that time. That perhaps expresses my opinion of it. There was no claim in law, and none in equity, either. The so-called pioneer frontiersmen were men who pushed out into the Indian country and provoked retaliation by the acts they committed against the Indians. Those are the facts. And now they come here—aliens—responsible for the strife and trouble and bloodshed in our western country, claiming some rights for reimbursement from the Government of the United States for very doubtful losses incurred as the result of Indian depredations. These losses occurred 30 or 40 years back and in sections of the country sparsely settled, where information was difficult to obtain, and the Government is as greatly handicapped in properly defending such cases as any party to a litigation has ever been in the history of civilized nations. These men come now and plead for an opportunity to present claims as if they were the injured parties.

Mr. GARNER. Will the gentleman yield there?

Mr. FITZGERALD. Yes.

Mr. GARNER. I hope the gentleman will except from his indictment the citizens of Texas.

Mr. FITZGERALD. No; I will not.

Mr. GARNER. The Indians never had any property in the State of Texas. They had no rights there, and the people residing in the State of Texas received their injuries at the hands of tribes that had broken out of reservations controlled by the Government.

Mr. FITZGERALD. That may be. I would not be at all surprised, although I do not assert it as a fact, if those depredations of Indians in Texas were due somewhat to the excursions made by the inhabitants of Texas into the Indian country, by which excursions the Indians suffered much more than the white men did from the Indians deploying into Texas. It does not require that a person shall live very near to the Indian country to have some knowledge of the capacity, resourcefulness, and enterprise of those hardy pioneers in the early days, who sought the State of Texas and made it their home.

Mr. STEPHENS of Texas and Mr. BURKE of South Dakota rose.

Mr. FITZGERALD. I will yield to the gentleman from Texas [Mr. STEPHENS], because he comes from the Panhandle district, and probably it was the predecessors of his present constituents who made many of the excursions into the Indian territory that was the cause of most of the destruction and injury from Indians in their excursions into Texas.

Mr. STEPHENS of Texas. Is the gentleman aware that the State of Oklahoma was originally a part of the Indian Territory?

Mr. FITZGERALD. Yes.

Mr. STEPHENS of Texas. And is the gentleman aware that the State of Texas has furnished for the last 50 years practically all of the beef for the United States, and that we had to drive every animal across Oklahoma in order to get it to Kansas City, and thence to the northern market?

Mr. FITZGERALD. Yes; and I know that Texas fattened its cattle until a recent period upon the grasslands of the Indians in Oklahoma at a very unremunerative return to the Indians. [Laughter.]

Mr. GARNER. Where did the Indian get any grassland in Texas upon which to graze Texas cattle?

Mr. FITZGERALD. Oh, I am talking about Oklahoma.

Mr. GARNER. But I understood we were talking about Texas.

Mr. FITZGERALD. No; we are not. The gentleman from Texas, the chairman of the committee [Mr. STEPHENS], knows—and I do not know whether the gentleman from Texas on my right [Mr. GARNER] does—that the cattle of Texas driven through Oklahoma fattened on the grasslands of the Osage Indians and were shipped from Elgin, on the line between Texas and Oklahoma, to Kansas City, and were fattened on the grasslands of the Indians and at a very unremunerative price to the Indians. I am familiar with that matter.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. CAMPBELL. I rise to object to the gentleman locating Elgin on the border between Texas and Oklahoma.

Mr. FITZGERALD. Oklahoma and Kansas, I intended to say. I am not sure whether it is located north or south of the line.

Mr. CAMPBELL. It is north of the line, in Kansas.

Mr. FITZGERALD. The gentleman knows where it is. When I was in the Indian country it was quite an important cattle-shipping point.

Mr. BURKE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. BURKE of South Dakota. The gentleman has referred to a report made by me in 1904.

Mr. FITZGERALD. I think it was in 1905.

Mr. BURKE of South Dakota. I think the report is dated 1904.

Mr. FITZGERALD. Well, in the Fifty-eighth Congress.

Mr. BURKE of South Dakota. In which the committee reported a bill eliminating the amity requirements; and he particularly called attention to the fact that he and other distinguished gentlemen filed a minority report. I would like to ask the gentleman if in that minority report they did not, as a matter of fact, find that the claims that would be affected by changing the law as to citizenship would not exceed \$500,000, and if they did not also say, in substance, that they had no objections to amending the law so far as citizenship was concerned?

Mr. FITZGERALD. No, sir; not exactly.

Mr. BURKE of South Dakota. Pretty nearly.

Mr. FITZGERALD. I will state what the report stated, so that there will be no misunderstanding. The gentlemen who joined in that minority report said that they had practically no objection to amending the provision as to citizenship so as to include those who had served in and had received honorable discharges from the military and naval services of the United States or who had filed a declaration of intention to become citizens. But that does not include, by a very large percentage, all of those who would be affected by the proposed bill.

Mr. BURKE of South Dakota. It practically substantiates what I have said, that there has been no opposition to speak of to this change in the law.

Mr. FITZGERALD. Oh, well; not to speak of. There never was much discussion of it. There never was much chance to consider the bill, because the majority of the House would not consider it, and while the minority at that time assumed, for the purpose of argument, that \$500,000 would probably be the extent of the claims that might be successful if the defense of citizenship were removed, it called attention to the fact that those were the figures advanced by the proponents of the bill, and it called attention, further, to the statement of the Hon. John G. Thompson—Judge Thompson, then Assistant Attorney General—who said:

The nearest we have been able to get at the matter of the requirement of citizens has been that it probably would result in judgment to the amount of half a million dollars, at least, and it probably would not exceed a million dollars in judgments. That is the very nearest we have been able to approximate it.

Judge Thompson at that time fixed the minimum recovery, as the result of removing the defense of citizenship, at \$500,000, and, as nearly as he could approximate it, it would run up to a million dollars. I had referred to the report, however, to call the attention of the House to the attitude of the gentleman from South Dakota [Mr. BURKE] and the attitude of the gentleman from Texas [Mr. STEPHENS]. They were assuring the House that if this bill passed and were amended in the Senate they would not consent to an agreement on the bill with such amendments. The House, perhaps, might have been under the impression that the bill with such amendments would go to conference, and that with the gentleman from Texas and the gentleman from South Dakota as conferees it would be impossible ever to vote upon such a proposition. But the amendment that would be made, as the gentleman from Illinois [Mr. MANN] has previously stated, would be to strike out, in line 11, page 1, the words "in amity with and," and when the bill would come back from the Senate with the amendment any Member of the House, upon request, could have the Senate amendment laid before the House and insist upon a vote being taken upon concurring in that amendment. The gentleman from Wyoming [Mr. MONDELL] very frankly announces that he believes the amity defense should be stricken out; many others undoubtedly have the same views. Mr. Chairman, what is the fact about this bill? In 1859 Congress repealed a law under which any claims would arise as a result of depredations of Indians in the United States. The policy of the country up to that time had been, by an arrangement in legislation, to prevent, if possible, the white settlers from provoking the Indians or pressing forward and stirring them to strife and despoiling the Indians of lands which they were occupying.

The policy apparently had not been satisfactory and the country was put upon its notice that the United States would not longer be responsible for the depredations committed by Indians hostile or in amity whether they were in tribal relations or not with the United States. So the matter drifted and Congress was pestered and plagued during all following time to pass some legislation so as to open up the doors of the



Treasury to those seeking to obtain reimbursement for alleged depredations from Indians in amity. In 1885 an act was passed which directed the Secretary of the Interior to report upon the claims of citizens of the United States arising from such depredations, and in 1891 the persistent efforts continuing, an act was passed conferring upon the Court of Claims jurisdiction to consider the claims of citizens and a limitation of three years within which they might be filed was fixed in the law. In the act of 1891 it was provided that the claims should have preference which had been reported upon by the Secretary of the Interior and unless they were reopened by either party they should go to judgment for the amount recommended by the Secretary of the Interior as due the claimants; if they were opened upon application of either party the burden of proof was placed upon the party upon whose application the claims were opened, so that the United States was put at a very great disadvantage in this litigation. The only activities from which there is no protection, against which agitation does not cease, no matter what the attitude of Congress, is in the attempts to obtain money from the Treasury of the United States. If this bill be passed this House may be assured that the attempts will be more persistent to enact legislation to remove the amity defense, and as it is pointed out in the record claims have been filed and would be opened aggregating the enormous sum of \$43,000,000. We have spent enough controlling the Indians and protecting those people without reimbursing them for doubtful claims. This bill is not particularly desired. No one is anxious to obtain the legislation here proposed. What is desired is legislation to remove the defense of amity. This bill is but the first step to the opening of the floodgates of ancient doubtful claims which should never be considered by the Government.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent to print in the Record as a part of my remarks the minority views submitted in the Fifty-eighth Congress to which I have called attention. They contain a carefully prepared presentation of the views of those who oppose this legislation.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The matter referred to above is as follows:

#### VIEWS OF THE MINORITY.

We, the undersigned members of the Committee on Indian Affairs, submit the following as our reasons why the bill H. R. 54 should not pass:

The act of March 3, 1891, provided that the Court of Claims should have jurisdiction over—

"All claims for property of citizens of the United States taken or destroyed by Indians belonging to any band, tribe, or nation in amity with the United States, without just cause or provocation on the part of the owner or agent in charge, and not returned or paid for."

The first amendment proposed is to change the act of 1891 so as to extend relief under said act to all inhabitants of the United States, whether they were citizens or not, or whether they had declared their intention to become citizens or not, or whether they had done any act showing their intentions to become citizens or not. We believe it would be unwise to go as far as is proposed by said amendment. There have been 10,841 cases filed under the act of March 3, 1891; judgments have been rendered in 5,072 of them, and the amount recovered was \$4,174,646.70; the average judgment is about \$800.

The committee gave full hearings on this bill and yet it is impossible to tell just how many persons would be affected by this amendment; but it is estimated by those who favor a change in the law that there will be at least 150 out of the 3,000 cases in which judgment has already been rendered for the defendant which would be reinstated by the change, and it is reasonable to suppose that there are at least that number (150), in the 5,700 cases still pending, in which the question of citizenship will be raised if the law is changed.

Taking these figures as true it would cost the Government about \$500,000; but Hon. John G. Thompson, Assistant Attorney General, said:

"The nearest we have been able to get at the matter of the requirement of citizens has been that it would probably result in judgments to the amount of a half a million dollars, at least, and it probably would not exceed a million dollars in judgments. That is the very nearest we have been able to approximate it."

While we do not oppose a change in the law on the question of citizenship so as to include the men who served in the Army or who had declared their intention to become citizens, yet we do not believe all restrictions in this regard should be removed.

The object of the second amendment is to wipe out the amity clause in the act of March 3, 1891. This would make the Government liable even though the Indians were on the warpath when the depredations were committed.

We submit that the amity clause has been in every act since 1796, and is the settled law of the country. To change it would be to open up many cases, and we believe it would cost the Government at least \$5,000,000 or \$10,000,000.

The advocates of this change admit that it would restore 2,000 cases which have already been passed upon by the court. If that is so, there must be at least 2,000 cases still pending which, if this change is made, would be decided against the Government.

The advocates of this amendment say it will add to the liability of the United States about \$4,500,000.

Mr. Thompson, Assistant Attorney General, says that the change in the amity provision would affect about 3,500 cases, and if the provision of amity is stricken out that it would cost the Government not less than

\$5,000,000, and that it would take about five years to finally adjudicate all the claims. We feel that both the Assistant Attorney General and Mr. Robeson underestimate the sum this change would cost the Government. We believe if the amity is no longer a defense, and those cases which have been decided in favor of the defendant on account of the amity clause are restored to the docket, that the general average of the judgments would be increased, and we believe that the enactment of this legislation will cost the Government not less than \$8,000,000.

We see no good reason for changing the policy which has been followed for more than 100 years. To change the law now and limit it to the 10,000 cases filed under the act of March 3, 1891, would be unfair to the many claimants whose cases were disposed of under former acts.

We are opposed to this legislation, because we believe it will cost the Government from \$8,000,000 to \$9,000,000, because it changes the well-settled policy of this Government that it ought not to be and will not be responsible for the depredations committed by Indians while on the warpath.

We recommend that the bill do not pass.

J. S. SIEMAN.  
CHARLES CURTIS.  
JOHN F. LACEY.  
CHAS. L. KNAPP.  
JOHN J. FITZGERALD.

#### AMENDMENT TO INDIAN DEPREDACTIONS ACT.

Mr. CURTIS, from the Committee on Indian Affairs, submitted the following supplemental views of the minority to accompany H. R. 54:

The majority of the Committee on Indian Affairs has reported favorably upon the bill (H. R. 54) to amend the act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891 (1 Supp. Rev. Stat., 2d ed., 913). The minority members of the committee submit this supplemental report in dissent from the reasoning in the report heretofore filed by the majority and from the recommendation therein made, for the reasons which are set forth below.

The bill provides for the amendment of the statute in several respects, all of the amendments increasing the liability of the United States. The requirement that the claimant must have been a citizen of the United States at the time of the loss or destruction of his property is stricken out. It is provided that where a claimant has brought suit against Indians who are shown to have been innocent of any wrongdoing he may, without limitation as to time, amend his petition so as to bring in a tribe or tribes not theretofore made parties to the suit, and that any petition filed under the provisions of the jurisdictional statute may be amended so as to include all parties in interest.

The most important feature of the bill, however, and the one which would most largely increase the liability of the United States, is the repeal of the requirement that the Indians charged with the commission of the depredation must have belonged to a tribe in amity with the United States, and it is to that provision alone that this report relates.

The act of March 3, 1891, is purely jurisdictional, except that it revives in certain cases the liability of the United States which was repealed by the act of 1859. The substantive provisions of law upon which all Indian depredation claims are founded, and upon which alone they rest for legal basis, are found in the act of June 30, 1834 (4 Stat., L., 731), which with certain modifications appears as section 2156 of the Revised Statutes. This provision of the act of 1834 (sec. 17) is merely a reenactment of statutes which go back nearly to the foundation of the Government. The first law upon the subject was passed in 1796 and appears in the first volume of the Statutes at Large.

The long existence and pressure of these Indian depredation claims has apparently given rise to a theory that the claimants have a natural right to compensation for damages suffered through robbery by Indians, a right that does not exist in the case of loss by white thieves. As a matter of fact, the claims are purely statutory in their nature and origin. We do not recognize any inherent right of claimants to compensation out of the Public Treasury, nor even out of the funds of the Indian tribes, for the acts of depredating individuals of the tribes.

In regard to certain claims the Government has put itself in the attitude of a guarantor of the obligations of Indian tribes, which obligations are created by the same statute; but, aside from the statutes and an occasional provision in a treaty, there is no obligation whatever resting upon the tribe to indemnify those who may have lost by theft of individual Indians; and, consequently, no obligation on the part of the United States as guarantor or otherwise. Every government owes protection to its citizens; but that protection consists of efforts to prevent crime and to punish criminals. It never takes the form of insurance against damage by lawlessness. The nearest approach in English law to the indemnity exacted of the Indian tribes by the statutes is found in the old statute of Winchester (13 Edw. I. c. 1), which provided that where a hundred in which a robbery occurred did not immediately make hue and cry after the thief, the hundred should, because of such failure, indemnify him who suffered by the robbery. This is not a recognition of any right in the person robbed to compensation by the State; it was rather in the nature of a penalty upon the community for making no attempt to enforce the law.

It is not pretended by anyone that the United States Government has not done its full duty in endeavoring to control the lawless elements among the aborigines. Untold millions have been expended in that attempt. The losses of individuals are as nothing compared to the expenditures of the people as a whole in endeavoring to subdue and pacify the wild tribes of the frontier. No fault lies at the door of the Government; no claim can be made because of its neglect.

Why, then, did Congress ever assume an obligation in respect to these claims? The answer is to be found in the legislation on the subject. The founders of the Government foresaw inevitable conflict between the aborigines, who held dominion over the greater part of the continent, and the aggressive, militant, conquering white race, who even then were pushing their settlements farther and farther into the Indian country. In the absence of stringent legislation, it would happen that the intrusions upon the lands which the Indians regarded as their own, the thefts and other outrages of the lawless among the Indians as well as among the whites, would lead to reprisals and to attempts on the part of the individual or the community to obtain satisfaction in which the sins of the individual would be visited upon the tribe or upon the community; and these reprisals would inevitably lead to constant feuds and border warfare between the races. It was to prevent this condition that Congress determined to regulate all intercourse between the Indians and the whites, and the first systematic attempt at such regulation is found in the act of May 19, 1796 (1 Stat. L., 472).

That act provided that where Indians committed depredations in territory inhabited by white citizens, the United States would make

application to their tribe for satisfaction; and, failing this, the United States guaranteed to the party injured eventual indemnification—

"Provided always, That if such injured party, his representative, attorney, or agent shall in any way violate any of the provisions of this act by seeking or attempting to obtain private satisfaction or revenge by crossing over the line on any Indian lands, he shall forfeit all claim upon the United States for such indemnification."

This limiting clause has been carried through all subsequent legislation on the subject, and it clearly indicates the reason for assuming liability. It is also worthy of note that all these statutes provide that nothing therein contained should prevent the legal arrest or punishment of any Indian having so offended.

Now, when a state of warfare exists between the United States and any tribe of Indians, this reason ceases to apply to relations with that tribe, while it still applies to all other tribes except the one at war. There being no reason, therefore, for assuming an obligation to pay for the acts of hostile Indians, Congress expressly excepted them from the class of acts for which payment would be guaranteed; and the statute reads:

"If any Indian or Indians belonging to any tribe in amity with the United States \* \* \* shall take, steal, or destroy, etc."

Proof that Congress did not intend the statute to apply to the acts of hostile tribes is found also in the mode of operation when a claim was presented. The agent, or superintendent, or other person thereto authorized, was directed to make application to the nation or tribe to which the offending Indian or Indians belonged for satisfaction—a procedure which would obviously be futile, if not impossible, when the nation or tribe of Indians was at war with the United States.

As in the case of the provision prohibiting the seeking of private satisfaction, this stipulation requiring amity has been carried into every subsequent statute promising indemnity. (Acts of May 19, 1796, 4 Stat. L., 472; March 3, 1799, 1 Stat. L., 747; March 30, 1802, 2 Stat. L., 143; June 30, 1834, 4 Stat. L., 731.)

Whatever liability exists on the part of the United States was created by these statutes; and even the promise which they contained was repealed by the act of February 28, 1859 (11 Stat. L., 401), and only reenacted in part by the act of March 3, 1891, by the section of that act which provides for the payment of judgments in certain contingencies out of the Treasury of the United States. Neither in the statutes which promised indemnity, nor in the jurisdictional act which provided a forum for the trial of the cases, did the United States assume any liability for the acts of Indians belonging to tribes not in amity with the United States.

Since there is no liability, express or implied, growing out of statutory enactment, and since the rule is universal that a nation will not pay its citizens for damages caused by the public enemy, we see no reason for assuming at this late date the burden of paying the great number of claims which have arisen during Indian wars.

It is argued by the majority of the committee that since 1865 the Government has followed the policy of placing Indians on reservations and maintaining them there and assuming toward them the relation of guardian, and that therefore the United States is responsible for their acts when they broke through that restraint and went on the warpath. The argument is not sound. It seems to imply that the more the Government does to prevent trouble with the Indians, the more it becomes liable for any trouble which may happen in spite of its efforts. And the assumption that the claims arose in any great part after the Government abandoned the plan of dealing with the Indian tribes by making treaties with them is not warranted by the facts. In handling this legislation we are not dealing with conditions as they exist to-day; we are dealing with claims which arose at various dates from 1812 to 1891; a considerable number in 1836 and 1837 (cases growing out of the Creek war in Georgia and Alabama); a very much larger number in the years from 1850 to 1860; and the great majority of all the cases filed, before 1871, when it was for the first time declared by Congress that we would no longer make treaties with the Indian tribes.

The question whether war in an international sense could exist between the United States and the Indian tribes prior to 1871, or at any time, is not pertinent to this discussion. The relations between the United States and the Indian tribes were peculiar. It was early declared by the Supreme Court that—

"In the executive, legislative, and judicial branches of our Government we have admitted by the most solemn sanction the existence of the Indians as a separate and a distinct people and as being vested with rights which constitute them a State or separate community." (Worcester v. Georgia, 6 Pet., 515, 583.)

They have been described by the same authority as "dependent political communities," and as "having a semi-independent position when they preserve their tribal relations; not as States, not as nations, not as possessed of the full attributes of sovereignty, but as a separate people, with the power of regulating their internal and social relations, and thus far not brought under the laws of the Union or of the States within whose limits they reside." (Cherokee Nation v. Georgia, 5 Pet., and United States v. Kagama, 118 U. S., 375.)

This view of the relations between the United States and the Indian tribes was reaffirmed in the *Choctaw Nation v. The United States* (119 U. S., 1), where it was again held that they were capable, under the terms of the Constitution, of entering into treaty relations with the Government of the United States; and these cases were all cited with approval in the Supreme Court in the recent case of *Stevens v. The Cherokee Nation* (174 U. S., 470-486).

The Indian tribes were subject to the sovereignty of the United States, but they were sufficiently distinct political entities to enable them to make treaties with the United States. If a tribe was nation enough to make a treaty, it was nation enough to make a war; and we have often had instances of a state of war existing where one of the parties was not an independent sovereignty. Yet the laws of war and the rules concerning the acts of the belligerents apply with equal force in such conflicts. The people of the Philippine Islands are not and never have been an independent people, but we do not believe that Congress stands ready to pay for damages caused by their army during the recent insurrection on the islands.

By a long line of decisions by the courts, by the very acts of Congress which have used the words "in amity" in this connection for more than 100 years, by the action of the Executive and the Senate in making and ratifying treaties of peace, and by the long-continued and consistent practice of the military department of the Government, it has been conceded and determined that the Indian tribes are entitled to the rights and privileges of belligerents.

As a matter of fact, there have been Indian wars long, expensive, and bloody; wars short, sharp, and decisive; wars (many of them) which began with mutual demands and defiance were prosecuted by battles and campaigns, and were terminated with all the formalities of

war between great nations, by a truce or armistice pending negotiations, by a surrender of the warriors in the field as prisoners of war, and by the making of a solemn treaty of peace afterwards ratified by the Senate of the United States.

In at least one instance the United States was the defeated party—the war with the Sioux in 1867-68; for by the treaty of peace which terminated that war (15 Stat. L., 635, 640, art. 16) the United States agrees that the territory in dispute shall remain and be considered as unceded Indian territory, and that no white person shall be permitted to reside upon the same or to pass through it without the consent of the Indians first had and obtained; and further agrees to abandon within 90 days the military posts previously established in the territory and to close the military road leading to them—thus fully conceding the demands of the Indians which caused the war. There was a war with the Creek Indians in 1836 and 1837; with the Sioux in Minnesota in 1862 to 1864; with the Navaho of New Mexico in 1860 and again in 1863; with all the great tribes of the plains in 1864 and 1865; with the Sioux and Cheyenne in 1866 and 1867; with the Comanche in 1868 and 1869. During these wars the destruction of life and property was, of course, great; but it was due to the acts of armed bodies of Indians fighting against the United States—to the acts of the public enemy. It could not be avoided, and the Government is not responsible for it.

There is another side to this question, which has been little regarded. The act of March 3, 1891, provides for judgments in the first instance against the Indian tribes, the United States being held merely as guarantor; and it is provided that the judgments shall be paid out of the Indian funds in the custody of the United States. If there be no funds available, the judgment is to remain a charge against the tribe, to be deducted from any annuity, fund, or appropriation which may hereafter become due. (Sec. 6.) The effect of the repeal of the amity clause would be, therefore, not only to renounce the doctrine heretofore held, so far as it affects the United States, but, by a retrospective act, to impose an additional burden upon the Indian tribes, and to deprive them of the benefit of that doctrine which is inseparably incident to the recognition of belligerent rights. This feature of the case is so well stated by the Court of Claims in the case of *Leighton v. The United States* (29 Ct. Cls. R., 288, 305) that we can not do better than quote the language of that opinion:

"It was said by Justice Washington, in a concurring opinion in the case of *Worcester v. Georgia* (6 Pet., 582):

"The language used in treaties with the Indians should never be construed to their prejudice."

"The United States being the superior power and having sought such treaties, they should not be so construed as to deprive the Indians of belligerent rights. Losses occurring in war must be suffered by him upon whom the loss falls. Such are the misfortunes of war, and unless the political departments of the Government see fit in the exercise of their power to enforce payment of such losses by way of indemnity or otherwise, the citizen is without a remedy except by petition to Congress."

"The last proviso to paragraph 4, Revised Statutes, section 1059, provides:

"That the jurisdiction of the Court of Claims shall not extend to any claim against the United States growing out of the destruction of or the appropriation or damage to property by the Army or Navy engaged in the suppression of the rebellion."

"By the act of March 3, 1883 (22 Stat. L., 485, sec. 3), this court is also inhibited from taking jurisdiction of claims 'growing out of the destruction or damage to property by the Army or Navy during the war for the suppression of the rebellion,' and that inhibition applies to loyal as well as disloyal citizens who may have suffered such loss. The same inhibition is contained in the act of March 3, 1887 (24 Stat. L., 505, sec. 1), wherein it is provided:

"That nothing in this section shall be construed as giving to either of the courts herein mentioned jurisdiction to hear and determine claims growing out of the late Civil War and commonly known as war claims."

"So, aside from the lack of obligation to pay war claims arising from international law and the laws of war, the United States have, by express statute, set their face against the payment of such claims against the United States."

"The Government, therefore, having by express statutes denied to its loyal citizens payment for the loss or destruction of property occurring in the War of the Rebellion, can not be held liable, as guarantor or otherwise, in the absence of some express provision of law, to pay losses occurring in Indian wars; and certainly the United States would not apply a different rule to a 'domestic dependent nation,' with whom they were in treaty relations, without the consent of such tribe or nation."

The instances given in the report of the majority of the committee (with one exception) refer to cases where the hostilities were waged by a "band" of Indians, small in number, and constituting only a part of some tribe which was at peace; the argument drawn from the illustrations given has, therefore, application only to that part of the statute and is not applicable at all to the contention in which they are introduced—the contention that there should be a total repeal of the clause requiring amity.

The instances cited embrace a comparatively small number of claims, and they are in part offset by the converse holding of the Court of Claims, that where a band is at peace the fact that the majority of the tribe is at war will not invalidate claims for depredations by individuals belonging to the peaceable minority. For example, while we were engaged in the war with the Sioux Indians during which Custer fell, when all the available force of the United States was required for their subjugation, a portion of the same tribe remained on the reservation in the vicinity of white settlements and committed many depredations, for which the claimants have recovered under that interpretation of the law of which complaint is now made.

It is argued also that the court determines with difficulty the beginning and end of an Indian war, since there is not, usually, if ever, a formal declaration of war; but the court has not complained and it appears that the decisions have been sufficiently uniform and remarkably free from error.

There is matter in the report of the majority of the committee which we could wish eliminated. That report refers to the Indian tribes and nations as "a horde of savage individuals \* \* \* having no organic character as a nation or State and having only such rude semblance of government as suffices to secure unity of action when on the warpath," and it is said that "such is not war in any proper sense of the term, but merely brigandage; the motive is not love of country or solicitude for any public interest, but only thirst for plunder and lust for blood."

"There is only the animus furandi which inspires the bandit and the buccaneer."



Such a general characterization of the American Indian is not in accord with historic truth. It ignores the great nations of Indians like the Sioux, the Cherokees, the Creeks, and the Seminoles, many of whom have progressed in civilization and order to an extent which is truly remarkable when we consider their limitations and disadvantages. It ignores the gentler and more peaceful tribes, not a few in number, whose boast it is that they have never shed the white man's blood. It ignores and contradicts the undoubted facts that in Indian wars the Indians have fought a brave, though losing, fight for the preservation of their ancestral homes from the intrusion of the white race—an intrusion which was often in faithless violation of the most solemn treaty pledges by our Government.

It has been said that in all the history of our relations with the Indian tribes the Indians have never violated a treaty and the United States has never kept one. While this is an extreme statement it must nevertheless be admitted by every impartial student of history that the Indian tribes have only too often been justified in going to war, and if the characterization in the majority report referred to above is true of the Indians as a whole the policy of our Government for 100 years in treating with them and the decisions of our Supreme Court for a longer time than that have been mere foolishness. If it was not intended to refer generally to the Indian tribes, but only to isolated instances of savage outbreaks, it has no place in the argument.

Further dissenting from the views expressed in the majority report, we think that they have underestimated the additional expense which the passage of the bill would cause. It is stated on page 6 of the report that Assistant Attorney General Thompson estimated that the bill would increase the liability of the United States by a sum not exceeding \$5,000,000; but this was not the statement made by the Assistant Attorney General. In the published report of the hearings before the committee he stated (p. 41):

"I do not believe that the amount \* \* \* would be less than \$5,000,000."

And again (p. 43):

"I do not think the minimum would be less than \$5,000,000 in any event."

And this estimate, as well as other estimates submitted to the committee, is based upon the average judgment heretofore rendered in cases where amity was not a defense—the cases growing in large part out of the smaller pilferings of individuals or small bodies of Indians. While the estimate made is that this legislation will increase the liability of the United States by not less than \$5,000,000, yet we believe that if the want of amity is no longer a defense, and those cases which have been decided in favor of the defendants on account of the amity clause are restored to the docket, the general average of the judgments will be increased, and we believe that the enactment of this legislation will cost the Government not less than \$8,000,000. In addition to this, a great deal of time and money have been expended in defending such of the claims as are subject to the defense of amity. At the cost of great labor to the court and the attorneys representing the Government the status of the various tribes has been fixed for practically the whole time covered by the depredation claims. If this bill should become a law that labor and money will have been thrown away.

We see no good reasons for changing the policy which has been followed for more than 100 years; and for the reasons stated we recommend that the bill do not pass.

The CHAIRMAN The gentleman from Texas has 12 minutes remaining.

Mr. STEPHENS of Texas. Mr. Chairman, I desire to ask the gentleman from Illinois [Mr. MANN] if he would object to Mr. MILLER and Mr. FERRIS dividing the time. Mr. MILLER would not present a few minutes ago.

Mr. MANN. No; I do not make any objection.

Mr. STEPHENS of Texas. Then I will yield to the gentleman from Minnesota [Mr. MILLER] five minutes.

Mr. MILLER. Mr. Chairman, I do not know that I have anything to say at this time in addition to that which I said the other day in the extended talk I made upon the subject. It is natural for gentlemen who may be ardently opposed to legislation to seek to becloud the issue, magnify the importance of the matter under consideration, and to put the thing in a light as unfavorable as possible. I have no objection to this and I think likely I would take the same course if I were of their number; but, Mr. Chairman, it seems to me we ought to divest our minds at this time of some of the vagaries that exist in connection with this subject. In the first place, suggestions have been continuously thrown out about the large sum of money involved, and yet there can not be a man within the sound of my voice at this moment who does not know in his heart that if this amendment is passed it can not involve an expenditure to exceed \$500,000. Let us pass with that. Then we had much said with respect to a horde of claimants and the opening up of the Treasury doors of the United States to a class of citizens who should not seek to get possession of the public money. I admire, Mr. Chairman, the frankness of the gentleman from Mississippi [Mr. Sisson] when he said that his objection to this bill was based upon opposition to any legislation giving to any white person a right of recovery for Indian depredations. His objection therefore does not go to the merits of this bill. We are not now called upon to determine the policy of such legislation. The law already exists, having been passed by Congress more than 20 years ago. The proposition before us is so to change that law, so to amend it, that it will be perfected, giving such benefits as are contemplated by the law to those who are the most meritorious of all. The gentleman from Mississippi [Mr. Sisson] frankly stated that were this entirely new legislation and it were necessary to pass an act granting recovery for Indian depredations, he would favor giving the right to inhabitants and not simply citizens. He should there-

fore favor this bill, and I call upon him now to vote to make the law exactly as he would have voted to make it when it originally passed, had he been a Member of this House at the time.

I am inclined to think, as I said the other day, that if we were at the outset of this legislation I might agree with him against the propriety of granting a recovery for Indian depredations in any case, but such a law being in existence I hope he will join with us and make that law as it ought to have been made when first enacted.

Mr. Chairman, this is not a huge bugaboo with which to scare people. It is simply a reasonable change in the law to benefit a most deserving class of citizens. Most, if not all, of those to be benefited by this act thought they were citizens when they brought their suits and had good reason to entertain that belief. I do not know as any word of mine can give added emphasis to the worth of those men in whose interest this amendment is drawn. If any men ever should recover for Indian depredations, these are the men. If any class of citizens should be the object of legislative solicitude, this is the class. I wish to say, Mr. Chairman, as one Member of this House, that there can be no more deserving men on earth than those who are to be the recipients of whatever benefit this amendment may give.

I join with you all, and I know the feeling is common, in admiration and veneration for the achievements of the American soldier and the American sailor. Their deeds make glorious all human history. But I want to say to you that the American pioneer, in his boldness of spirit, in the strength of his arm and mind, in the heart that never blanched and the courage that never failed, in the contributions he made to the civilization of the race, stands the most illustrious citizen of all the world. Armed with the rifle and the ax, he marched from the Alleghenies across the broad valley, over the great Rockies, and down the slope, till the sound of his labors has been lost in the murmurs of the Pacific seas. He has conquered to civilization a region greater in extent and richer in wealth than all the countries ever conquered by all the soldiers of the world. From these staunch empire builders have come the giant statesmen and the military heroes that have made illustrious our country during the past century. [Applause.]

Mr. STEPHENS of Texas. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Chairman, I had not intended to add anything additional to what I said on the bill last Wednesday. The passage of the bill, so far as I know, means nothing to any citizen of my State. What assistance or support I render to it will be an unselfish support and solely because I think the bill should pass. And I will call attention of the House to two or three reasons why I think it common justice to pass it.

The treaty which annexed the Texas Republic to the United States in 1845 solemnly bound the United States to protect the settlers of the border country against the ravages of the wild tribes of Indians who broke away and got over into that State. I take issue with some of the gentlemen here on the proposition that the Government of the United States is not equitably, and I am not sure but honestly, bound to protect these people—bound to recompense them for property so taken. The Republic of Texas came in and was annexed upon several conditions, one of which was—and I think it was perhaps one of the most important ones other than to become a citizen of the United States, which of course was the highest one—that they were to be protected against the Indians of the Indian Territory that had been collected from every corner of this Republic. They surrendered their own governmental protection and entered into a treaty with our Government for protection in lieu thereof. The fact that certain persons went out and settled the frontier of the West may be treated lightly by gentlemen here. It has been said by the gentleman from New York that these people are entitled to no protection, and he intimated that they were not properly there, but that could hardly be the fact. The men who went out and settled Texas and the semiarid West were the bravest, truest, and most courageous patriots that the country had. The weak-kneed fellows remained behind at their father's corncrib, and did not press out into the West and open it up and make it what it is. So, as to what has been said regarding the people who went West, I hurl it back at them and say that it was the most courageous, brave, clear-headed patriots who went West, and it was the weak and feeble ones who clung to their mother's apron strings.

This bill changes the act of 1801 in one respect only—that of citizenship. It is limited so that it does not apply to any tribes that were not in amity with the United States. It only applies to suits that have been brought, and, as I am informed and as the committee believes, I even think it will not be denied that quite everyone of those men who brought these

suits between the years of 1891 and 1894 honestly thought that they were citizens of the United States and based their views on years and years of exercising full citizenship. Many of them held office. Many of them had been jurors.

Now, what is the situation? Here we have the act of 1891, recognizing that the Federal Government ought to do something for these frontiersmen, many of whom lost their all. The act of 1891 sure recognized the fact that this Government ought to keep their solemn treaty stipulations of 1845, when they agreed to protect these people from the ravages of the then wild Indians. These people who brought these suits, prosecuting them from the Court of Claims clear on up to the Supreme Court of the United States, many of them, have recovered. Many of them failed on merit and are disposed of. Others failed by reason of the bald technicality that they were not for one reason or another citizens of the United States under some strict legal construction of citizenship laws. This act merely permits them to have the same consideration others no more deserving have already had. It merely gives these unfortunate litigants a new trial, so that they may get in the Court of Claims the question of technical citizenship notwithstanding and recover their just dues. It has been said here that the people have no rights out there. That is not so. If they were in the Indian country wrongfully, this act excludes them; at least so far as their property is concerned. The bill provides, if wrongfully there with their property, they can not recover. If they had their property in the Indian country wrongfully, this bill prevents a recovery.

Mr. GARNER. Mr. Chairman, will the gentleman yield just there?

The CHAIRMAN. Does the gentleman from Oklahoma yield to the gentleman from Texas?

Mr. FERRIS. I will; but I have just a moment of time.

Mr. GARNER. Will the gentleman agree to an amendment to include the person, as well, wrongfully in the Indian country?

Mr. FERRIS. Personally I have no objection to that. Of course, this is not my bill, and I would not feel at liberty to accept such an amendment. This bill is not intended to help men out who acted wrongfully, either as to their persons or as to their property. It is merely to confer a just and equitable right on the men who honestly believed that they were citizens and who were knocked out on a technicality. When the Republic of Texas came into the Union, in 1846-47, it was the belief of those citizens who then lived in the Republic of Texas that they were to be full citizens of the United States, that they would come into the United States as full citizens of the United States. But when the act of 1891 was passed, giving them an opportunity to recover for their lost fortunes that had been by the United States wards carried off, stolen, or destroyed, they were confronted by the proposition that by reason of a bald technicality they could not recover.

I do not know what the House will do. I repeat, I do not know that this legislation will benefit a single citizen of my State. I am inclined to think it will not. But the Federal Government ought not to go off on a side issue, and gentlemen ought not to vote on this bill on the theory that the Senate will put on some amendments that the House will not stand for. The Federal Government, it seems to me, ought to pay its honest debts and obligations, and I believe this is one of them. No one is more proud of their citizenship than I, but an honest obligation entered into with the Republic of Texas ought to be complied with. We were fortunate to have Texas become a State in the sisterhood, and we ought to make good our treaty pledge to them in protecting those border States. I think it proper to see that no claims be loaded onto our Government other than just claims, but surely it will not quicken the patriotic blood of any citizen to have his country fail to recognize just claims. No citizen can destroy himself so soon as to be negligent about his obligations. I can not but wonder if the same principle might not be at least partially applicable to the Federal Government. I again repeat, no one is prouder than I that I am an American citizen. My affection and devotion is not quickened by the unenviable reputation our Government is acquiring for the repudiation, or at least the ignoring, of our obligations, promises, and treaty stipulations.

The CHAIRMAN. The time of the gentleman has expired. All time has expired, and the Clerk will read the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the first section of paragraph 1 of an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, be, and the same is hereby, amended so as to read as follows: "First. All claims for property of citizens or inhabitants of the United States, except the claims of Indians heretofore or now in tribal relations, taken or destroyed by Indians belonging to any tribe in amity with and subject to the jurisdiction of the United States, without just cause or provocation on the part of the owner or agent in charge, and

not returned or paid for, and in all adjudications under said act as now amended the alienage of the claimant shall not be a defense to said claims: *Provided*, That the privileges of this act shall not extend to any person whose property at the time of its taking was unlawfully within the Indian territory: *Provided further*, That all cases heretofore filed under said act of March 3, 1891, and which have been dismissed by the court for want of proof of the citizenship of the claimant, shall be reinstated and readjudicated in accordance with the provisions of this act: *Provided further*, That nothing in this act shall be construed to authorize the presentation of any other claims than those upon which suit has heretofore been brought in the Court of Claims: *Provided further*, That all acts and parts of acts, in so far as they conflict with the provisions of this act, are hereby repealed."

Mr. MANN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. Is the bill subject to amendment by paragraphs or will the entire bill be read in one section?

The CHAIRMAN. The Chair will state that it is the judgment of the Chair that the bill should be read by paragraphs for amendment.

Mr. MANN. So that the first paragraph is now subject to amendment?

The CHAIRMAN. Yes; the first paragraph is now subject to amendment.

Mr. Sisson. Mr. Chairman, I make a preferential motion, to strike out the enacting clause of the bill.

The CHAIRMAN. The gentleman from Mississippi [Mr. Sisson] moves to strike out the enacting clause of the bill. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. STEPHENS of Texas. A division, Mr. Chairman.

The committee divided; and there were—ayes 61, noes 38.

Mr. STEPHENS of Texas. Mr. Chairman, I make the point that there is no quorum present.

Mr. FITZGERALD. I move that the committee rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The Chair will state to the gentleman from Texas [Mr. STEPHENS] that there is evidently more than a quorum present.

Mr. STEPHENS of Texas. I call for tellers, Mr. Chairman.

Mr. MANN. I ask the Chair to count.

The CHAIRMAN. The Chair will state that there is a quorum present. The ayes are 61, the noes 38, and counting the Chairman, who did not vote, 100 Members are present.

Mr. GARNER. We ask for tellers, Mr. Chairman.

Tellers were ordered; and the Chairman appointed Mr. STEPHENS of Texas and Mr. Sisson.

The committee again divided; and the tellers reported—ayes 73, noes 38.

So the motion to strike out the enacting clause of the bill was agreed to.

Mr. FITZGERALD. Mr. Chairman, I move that the committee rise and report the bill to the House with a recommendation that the enacting clause be stricken out.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 14667) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, and had instructed him to report the bill to the House with the recommendation that the enacting clause be stricken out.

The SPEAKER. The Chairman of the Committee of the Whole House on the state of the Union reports that that committee has had under consideration the bill H. R. 14667, and has instructed him to report the bill to the House with the recommendation that the enacting clause be stricken out. The question is on agreeing to the recommendation of the committee to strike out the enacting clause.

The question was taken, and the enacting clause was stricken out.

On motion of Mr. FITZGERALD, a motion to reconsider the last vote was laid on the table.

#### CALL OF COMMITTEES.

The SPEAKER. The Indian Affairs Committee having occupied two days, the Clerk will call the next committee.

The Committee on the Territories was called.

#### LEGISLATURE FOR ALASKA.

Mr. FLOOD of Virginia. Mr. Speaker, by direction of the Committee on the Territories, I desire to call up the bill (H. R. 13987) to create a legislature in the Territory of Alaska, to confer legislative power thereon, and for other purposes, which bill is on the Union Calendar.



The SPEAKER. The Clerk will report the bill by title.

The Clerk read the title of the bill.

The SPEAKER. This bill being on the Union Calendar, the House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Mr. FLOOD of Virginia. Mr. Speaker, pending the House resolving itself into the Committee of the Whole House on the state of the Union, I should like to ask the gentleman from New York [Mr. DRAPER] if we can agree on a limit of time for the debate?

Mr. DRAPER. Mr. Speaker, we have a number of requests for time on this side, and I would suggest to the gentleman from Virginia the advisability of allowing the debate to run for awhile.

Mr. FLOOD of Virginia. I ask unanimous consent, then, Mr. Speaker, that the time for debate be controlled on this side by myself and on the Republican side by the gentleman from New York [Mr. DRAPER], without fixing any limit of time.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] asks unanimous consent that in the debate on the bill the time be controlled one half by himself and the other half by the gentleman from New York [Mr. DRAPER]. Is there objection?

There was no objection.

Under the rule, the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. CLINE in the chair.

Mr. CLINE took the chair amid general applause.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the purpose of considering a bill which the Clerk will report.

The Clerk read the title of the bill (H. R. 13987) to create a legislature in the Territory of Alaska, to confer legislative power thereon, and for other purposes.

Mr. FLOOD of Virginia. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. MANN. Reserving the right to object, as I understand, the bill that is reported is not the bill that the committee now presents.

Mr. FLOOD of Virginia. Oh, yes, it is. I am not sure that I understand the gentleman's question.

Mr. MANN. The committee have reported and we now have under consideration House bill 13987. As I understand—and I ask for information—the committee have agreed upon a substitute bill to eliminate a good deal of this bill.

Mr. FLOOD of Virginia. Oh, yes.

Mr. MANN. Is that printed under some other number?

Mr. FLOOD of Virginia. No; it is printed as a substitute under this number.

Mr. MANN. I do not know where it is printed as a substitute under this number. Has it been reported?

Mr. FLOOD of Virginia. It has been reported by the committee. There was a bill originally introduced, and the committee, as the gentleman says, made a number of changes in it and reported this bill.

Mr. CARTER. This is the reported bill.

Mr. MANN. I know this bill, H. R. 13987, is a bill which was reported from that committee by the gentleman from Virginia in lieu of House bill 38; but I am informed that since the reporting of this bill the committee have agreed upon various changes in it.

Mr. FLOOD of Virginia. Oh, no.

Mr. MANN. And that they propose to eliminate a great deal of this bill.

Mr. FLOOD of Virginia. No; the committee have agreed upon one or two amendments which are to be offered as committee amendments. The committee have made no change in this bill except in one or two particulars. The committee have agreed upon some amendments which will be offered hereafter as committee amendments.

Mr. MANN. I was given a bill marked "Committee print" in blank, with the name of the Delegate from Alaska upon it, which varies from this bill materially; and I simply asked if we could know what propositions were to come before the committee.

Mr. FLOOD of Virginia. If you could know what the amendments were?

Mr. MANN. If this other bill shows the amendments which are now to be offered.

Mr. FLOOD of Virginia. I do not know. I am not familiar with the print which the gentleman has in his hand.

Mr. MANN. It is a bill printed by the gentleman's committee.

Mr. FLOOD of Virginia. I do not know that it is.

Mr. MANN. I do not know that it is, but I was so told.

Mr. FLOOD of Virginia. It was a bill introduced in the House by the Delegate from Alaska and printed by the House, not by the committee.

Mr. WILLIS. If the gentleman will pardon me, as a matter of fact, is it not the bill H. R. 18777? I understood that was the bill that was to be considered.

Mr. FLOOD of Virginia. No; the bill to be considered is H. R. 13987.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia to dispense with the further reading of the bill?

There was no objection.

Mr. FLOOD of Virginia. Mr. Chairman, this bill was introduced by the Delegate from Alaska at the extraordinary session of this Congress and was unanimously reported from the Committee on the Territories on the 21st day of last August. I do not know that all the members of the committee were present when the bill was reported, but I have heard no objection from any member of the committee since it was reported, and I think I am safe in saying that the bill as reported meets the unanimous approval of the Committee on the Territories.

The purpose of the bill is to provide a legislature for the Territory of Alaska, and to give the body thus created limited powers. We purchased Alaska from Russia in 1867 for \$7,200,000. Since that time—45 years—that we have owned this vast Territory, we have spent on it in every way, including the expenditures for post offices and post roads, \$28,500,000, making a total expended by this Government for Alaska, including the purchase price and all other expenditures, the sum of \$35,700,000. During that period the people of this country have received in money for the products they have brought out of that Territory and in cash collected in taxes the vast sum of \$444,000,000, thus showing a net balance in favor of Alaska of over \$408,000,000, which has gone into the channels of trade in this country, enriching many of our citizens and adding to the prosperity and wealth of the Pacific Coast States, if it has not at times saved that section from bankruptcy.

Alaska to-day is vastly rich in gold and silver, coal and copper, in fisheries and fur-bearing animals. It possesses agricultural possibilities which will astound any gentleman who investigates that phase of Alaska's wealth for the first time.

The agricultural possibilities of Alaska are confined to its great and splendid valleys, many of which are larger than a number of States in this Union, and which are well adapted to the growth of barley, rye, oats, potatoes, and other products as are grown in such countries as Norway, Sweden, and Finland.

The agricultural possibilities of Alaska are greater to-day than those of these three countries combined, and they without the enormous mineral wealth of Alaska, without its wealth of fisheries, support a population of 9,000,000 people.

As evidence of the agricultural possibilities of Alaska I will incorporate in my remarks a statement of the Secretary of Agriculture, the Hon. James Wilson.

#### ALASKA EXPERIMENT STATIONS.

The establishment of agricultural experiment stations in Alaska was the result of an appropriation of \$5,000 made by Congress for the fiscal year 1898, in which the Department of Agriculture was charged "with the investigation and report to Congress upon the agricultural resources and capabilities of Alaska, with special reference to the desirability and feasibility of the establishment of agricultural experiment stations in said Territory."

An investigation covering the summer of 1897 showed that there were decided indications of agricultural possibilities in that country when judged by the known conditions in northern Europe and the native and introduced vegetation, the presence of gardens, etc., in the regions visited. In 1898 headquarters were established at Sitka and work begun to determine the possibilities of agriculture in Alaska. Since then stations have been established on the island of Kodiak and at Kenai, on the peninsula of that name, at Copper Center in the valley of the Copper River, and at Rampart and Fairbanks, representing the Yukon and Tanana Valleys. The reports of the work at all these points confirm the early belief that in many parts of Alaska agriculture can be practiced to a considerable extent.

On account of local or other considerations it has been thought advisable to divide the work according to what has appeared to be the most practical lines of investigation. At Sitka, representing southeastern Alaska, where large areas of level land are not available, horticultural work has been given prominence. At Rampart and Fairbanks stations, where the extensive tracts of land suitable to cultivation, grain growing has been given especial attention, supplementing it with trials of standard vegetable crops. At Kodiak, representing southwestern Alaska, where large areas of pasture lands are to be found, live stock breeding has been given prominence. The stations at Kenai and Copper Center have been temporarily closed, and the custody of the buildings and grounds turned over to the Bureau of Education of the Department of the Interior, owing to their isolation, the lack of development in those regions, and the inadequacy of the appropriations to cover so extensive an area with so small an allotment of funds.

As a result of the investigations at Sitka, Rampart, and Fairbanks, supplemented by hundreds of letters from settlers, it can be safely asserted that in almost any part of Alaska south of the Arctic Circle hardy vegetables of good quality can be produced, as far as the climate is concerned. A list of these vegetables would embrace radishes, turnips,

kale, mustard, lettuce, carrots, parsnips, parsley, peas, cress, cabbage, cauliflower, Brussels sprouts, kohlrabi, onions, spinach, endive, leeks, beets, potatoes, and rhubarb, and among the herbs, caraway, catnip, mint, and thyme. In specially favored localities and in favorable seasons asparagus, beans, celery, cucumbers, squash, and salsify have been grown by taking advantage of warm sheltered spots with exposures toward the sun. Under ordinary conditions corn, melons, tomatoes, eggplant, and pumpkins have proved failures.

In the interior valleys grain can be successfully grown, and there has not been a year since 1900 when the majority of the varieties of oats, barley, and rye have not ripened at the Rampart station (Lat. 65° 30' N.). Wheat, both fall and spring sown, has ripened some years. Similar results have been secured at Fairbanks in the Tanana Valley, but the work has not been in progress for as many years. In 1900 out of 60 varieties of grain of all kinds 55 ripened their entire crop as follows: Spring wheat, 1; winter wheat, 1; winter rye, 7; spring rye, 1; spring emmer, 1; spring barley, 29; and spring oats, 15.

At the interior stations special efforts are being made to secure varieties of grain for introduction from high latitudes or elevations in Europe and Asia, and these are being improved by selection and breeding to secure hardy, early varieties for Alaska. Flax of excellent quality for fiber has been successfully grown at the Sitka station, though nothing has been made of this as an industry. It has often been claimed that the quality of the potatoes grown in Alaska is inferior, but this is disproved by more than 10 years' trial. Some varieties are not adapted to the soil and climate of Alaska, but a large number are; and more than \$1,500 worth of potatoes of good quality was sold by the Fairbanks station in 1910.

On the coast region of Alaska and to some extent also in the interior berries abound in a wild state, and the successful cultivation of many has been accomplished. Currants, gooseberries, cranberries, and strawberries are being grown in many places. At the Sitka station hybrid strawberries have been produced by the crossing of wild and domestic sorts, and a number of hardy new varieties are being grown that equal the best of the market varieties.

The work with live stock has been confined to what is often called southwestern Alaska. It was begun in 1906 with the purchase of some pure-bred Galloway cattle, part of which were sent to Kenai and others placed on Kodiak Island. With the closing of the Kenai station they were all transferred to Kodiak, where they are successfully maintaining themselves. The most of the cattle are kept on a reservation some 12 miles from the village of Kodiak, and in the summer of 1911 there were 82 pure-bred Galloways and about a dozen head of grade cattle in the herd. These animals have all been successfully wintered on hay and silage made from native grasses. The station has two 100-ton silos, which are filled with beach grass, and on this and wild hay, supplemented with a very little concentrated mill feed, the stock is kept in good condition. In 1909 the cattle received no shelter until November, when they were stabled at night and fed a little hay. Beginning December 2 silage was fed at night and hay in the morning, but the cattle were allowed to run on the range during the day. From January 1 to May 7, 1910, the ground at the station was covered with snow, and all stock was fed regularly. The total feeding period was little, if any, longer than is necessary in the more northern parts of the mainland of the United States. In 1908 the feeding period was about a month less than that of 1909. Within six weeks of beginning of grazing the stock was all in prime, fat condition. In 1909, 40 head of ewes were added to the stock kept at Kodiak, and 2 rams were purchased later. The number of sheep had doubled by the summer of 1910. At Kenai, Copper Center, and Fairbanks grain hay has been successfully made by sowing oats and cutting the crop before the grain has ripened. This can doubtless be done in most parts of Alaska where stock feed is needed and a very nutritious and palatable fodder obtained. There does not seem to be any reason why stock raising can not be made a success if care is exercised in the selection of the stock and they are properly sheltered and fed through the winter.

The population of Alaska is about 65,000. If it had been properly governed and had had proper laws for its development, that population would have been to-day five times larger. Its land area is about 600,000 square miles, and about one-half of this is absolutely uninhabited at this time, leaving about 400,000 square miles inhabited by 65,000 people. That gives 1 person to every 6 square miles inhabited, or 160 persons to every thousand square miles; or if the whole area is considered, it gives 1 person to every 9 square miles and 109 to the thousand square miles. These figures demonstrate the fact that Alaska has as dense a population as any Territory that we have organized and given the right of local self-government to since the foundation of this Government. It has as large a population as any Territory that has been organized during the past 70 years.

I here give the figures which show the correctness of this statement:

*The area and population of Alaska compared with other Territories.*

Names of Territories.	Date of organization.	Population nearest census.			Area in square miles.	Density 1,000 square miles.
		Date.	Whites.	Total.		
Northwest of Ohio River	July 13, 1787	.....	.....	266,000	.....	18
Mississippi	Apr. 7, 1793	1800	4,445	7,600	92,474	82
Indiana	May 7, 1800	1800	.....	5,641	228,950	24
Michigan	Jan. 11, 1805	1810	4,618	4,762	135,955	35
Illinois	Mar. 1, 1809	1810	11,501	12,282	133,690	90
Missouri	June 12, 1812	1820	.....	66,557	861,608	77
Wisconsin	July 3, 1836	1840	.....	30,495	283,137	107
Oregon	Aug. 14, 1848	1850	.....	13,294	297,552	44
Minnesota	Mar. 3, 1849	1850	6,938	6,977	169,414	35
Utah	Sept. 9, 1850	1850	11,330	11,380	228,670	50
Washington	Mar. 2, 1853	1860	11,133	11,594	193,934	58
Dakota	Mar. 2, 1861	1870	.....	14,151	318,005	44
Montana	May 26, 1864	1870	18,306	20,595	146,080	140
Wyoming	July 28, 1890	1870	8,723	9,113	97,575	93
Alaska	1910	1910	.....	64,356	599,884	109

So, looking at our history, I do not think it can be successfully contended that Alaska has too small a population or is too thinly settled to have the right of local self-government conferred upon it. [Applause.]

Railroad, wagon road, and trail, and a splendid system of telegraph have been built in this Territory. Towns have been built in which there are heating plants, lighting plants, churches, schools, hospitals, and newspapers, and all other adjuncts of civilization that go to make for the comfort and convenience of people tending to insure a stable and permanent population. So I think it can scarcely be argued that the population of this Territory is not stable and permanent.

#### PERMANENCE AND TRADE.

The permanence of population may be shown by trade as well as census enumeration, and the following is from a statement prepared by the customs officers for Alaska and dated February 1, 1910:

*Comparative statement showing value of merchandise shipped from the United States to the different divisions of Alaska.*

	1905	1906	1907	1908	1909
Southeastern Alaska	\$4,043,034	\$4,451,203	\$4,848,491	\$4,722,144	\$4,719,664
Southern Alaska	2,759,476	3,205,913	4,566,920	3,731,914	5,554,153
Bering Sea, etc.	4,681,331	6,051,135	4,293,943	3,317,571	4,040,375
St. Michael and Yukon River	3,272,411	4,659,844	3,564,591	3,294,689	4,600,692
Total	14,761,252	18,368,145	17,273,945	15,066,318	18,923,887

The four sections covered by this trade statement are substantially the same as the four judicial divisions covered in the foregoing census report on population, and the customs statement shows how nearly equally divided and how permanent from year to year the trade with those four divisions is.

The customs reports show the following total trade (not including a large amount of gold carried out without reporting to customs) with Alaska:

*Alaska's trade with the United States, 1907-1909.*

	1907	1908	1909
<b>IMPORTS.</b>			
Merchandise from the United States	\$17,273,945	\$15,066,318	\$18,923,887
<b>EXPORTS.</b>			
Merchandise to the United States	10,770,381	12,255,255	13,522,137
Gold and silver to the United States	16,774,127	18,044,533	18,278,962
Total	44,818,453	45,366,106	50,724,986

This trade also shows permanence of both trade and population.

The steady increase in the output of Alaska's gold and fish will convince anyone that the Territory is steadily developing and not retrogressing. What State or Territory in the United States can make a better showing than this?

*Growth of Alaska's output of gold and fish.*

Years.	Gold output.	Fish output.	Total.
1900	\$8,166,000	\$6,219,887	\$14,385,887
1901	6,932,700	6,926,167	13,858,867
1902	8,283,400	8,667,673	16,951,073
1903	8,683,600	10,289,635	18,973,235
1904	9,100,000	7,735,782	16,835,782
1905	15,630,000	6,563,655	22,193,655
1906	22,036,794	9,071,090	31,107,884
1907	19,349,743	10,160,183	29,509,926
1908	19,100,000	11,181,383	30,281,383
1909	19,778,962	11,847,443	31,626,405
Total	137,121,199	88,662,903	225,784,102

It will interest some of my hearers to have given a comparison of the value of our trade with Alaska with some other of our possessions, as well as with China:

*Total trade with the United States.*

Territories.	1907	1908	1909
Alaska	\$47,492,926	\$46,495,773	\$52,109,999
Philippines	23,188,155	19,147,341	27,335,857
Balance in favor of Alaska	24,304,771	27,348,432	24,774,142

The total trade of Hawaii slightly exceeds that of Alaska, while that of Porto Rico just equals it.



Total trade of United States.

Territories.	1907	1908	1909
Alaska.....	\$47,402,923	\$46,405,773	\$52,109,999
Hawaii.....	47,342,340	56,844,691	60,529,466
Porto Rico.....	47,653,814	46,470,247	52,152,220

The trade of Hawaii and Porto Rico is limited by the necessities of the population which those two islands can support, and it can not greatly increase. Both their trade and their population are near their maximum. On the contrary, the trade and population of Alaska are at their minimum and will increase for centuries to come. When Alaska's coal, its copper, and other minerals shall be opened for development, when railroads shall connect its open harbors with its rich interior and its mines, and when its great agricultural valleys shall be settled by a million farmers, its trade will greatly exceed all of these small and limited noncontiguous Territories with which it now compares.

Compare Alaska's trade with the United States with that which the United States carries on with China through the "open door," about which so much is said.

Total trade of United States.

Alaska.....	\$52,109,999
China, the "open door".....	48,218,747

Balance in favor of Alaska..... 3,891,252

The United States maintains a fleet in Chinese waters and an army of consular officers around the open door; it employs the arts of diplomacy and war to protect a trade which is nearly \$4,000,000 less per annum than her trade with Alaska. The balance of trade with China is heavily against the United States, and nearly \$10,000,000 are thus annually lost to our country. On the contrary, the United States gets the benefit of the entire trade of Alaska, and nothing is lost. Really, the trade of Alaska is worth more than double that of the open door of China. In addition to that, it is a growing trade, in its infancy, and no limit can be set to its future increase. The China trade is small, expensive, and not liable to increase, for China, instead of becoming a market, is becoming a manufactory.

A comparison of the per capita trade value of Alaska's population with that of Hawaii, Porto Rico, and the Philippine Islands is an instructive one.

Trade value per capita.

Territories.	Total trade 1909.	Population.	Per capita value.
Alaska.....	\$52,109,999	140,000	\$1,302.75
Do.....	52,109,999	65,000	801.69
Hawaii.....	60,529,466	218,000	277.65
Porto Rico.....	52,152,220	1,075,000	48.51
Philippines.....	27,335,857	8,282,000	3.33

<sup>1</sup> Whites.

<sup>2</sup> Total.

The trade value of Alaska's population is based upon an estimated total population of 65,000 and an estimated total white population of 40,000. Upon that estimate each white man, woman, and child in Alaska is worth, in trade value, \$1,302.75; but when all the Indians and Eskimos—men, women, and children—are added it lowers the per capita value to \$801.69. A white man in Alaska is worth 4.6 Hawaiians, 27 Porto Ricans, or 394 Filipinos in trade value. Add to that the value which comes from a permanent and growing trade in Alaska and you have a fair view of the comparative value of Alaska's trade to the United States.

Every dollar of that trade from Alaska was worth double that from the foreign countries, because every dollar that came into the United States from Alaska was an American dollar, and every dollar that went to Alaska was an American dollar.

The Alaskan trade reports certainly corroborate the census reports that the population of the Territory is quite evenly distributed and is permanent.

If we look to the census, we see apparently that the population of Alaska did not increase very much during the period from 1900 and 1910, but it is admitted by the Census Bureau that at least 5,000 people were counted in the 1900 census who ought not to have been counted there, and if that fact is taken into consideration we will find that the Americans in Alaska have increased during that period nearly 10,000, and they would, as I have before remarked, have increased very much more rapidly if those who desired to develop the country had been permitted to open up the coal mines and settle upon the rich agricultural lands. The fact that they have not done this has been the

fault of this Government. If we look to the census reports we see that the native and Indian population actually decreased in the decade from 1900 to 1910. That would not have happened if this Government had done its duty by those natives and the people of this Territory. In view of the above facts, Mr. Chairman, I do not think it can be successfully argued that the population of that Territory is not permanent and stable. [Applause.]

We have done little for Alaska. Congress is its legislative body, and we have passed few laws for the development of that vast Territory. We have never properly codified the laws that we have passed. Beginning in 1906 and coming on down, the Executive Department of this Government placed a blanket reservation over all the coal lands in Alaska, over all of the timber lands, and the oil lands, thus putting a cloud upon the title to practically every foot of land in that Territory. There are many laws that ought to be enacted by this Congress in relation to Alaska. There are a number of bills upon the calendar, which, if put upon our statute books, would make of this northern possession a great, a populous, and a prosperous part of our country.

Mr. Chairman, first and foremost among those laws in importance to the people of the Territory and to the people of this Nation is the one embodied in this bill, the one for local self-government, the one which permits the people of Alaska to elect a legislature of her own people, to enact her local laws. According to the precedents which we have established in the admission of other Territories and the granting to these Territories of legislative powers, Alaska has every essential that should entitle her to this right. The land is there, the people are there, the development, so far as we have permitted it to go forward, is there. They have some transportation facilities, and as soon as these reservations are removed from Alaska, and the restrictions taken away, they will have ample transportation facilities, built either by private capital or by this Government. They have a magnificent and sturdy civilization. The people of Alaska are unanimously in favor of local self-government. The press of Alaska, that mirror of public sentiment, with one voice asks for the enactment of the pending bill into law. Fairness and justice and common sense and right demand that we should give to these people what they ask in this respect, and I hope and believe that as soon as this debate is concluded this bill will be passed without opposition. [Applause.]

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. FLOOD of Virginia. Certainly.

Mr. CAMPBELL. For a mere suggestion in the nature of a question. I have not read the report. I am sure it would be interesting to the Members of the House to know the number of cities and their size and the number of newspapers published in Alaska, and data along that line. It may be that it is in the report for aught I know.

Mr. FLOOD of Virginia. It is in the report. I do not know about the number of newspapers. I will ask the delegate from Alaska how many newspapers there are published in Alaska.

Mr. WICKERSHAM. Twenty-two.

Mr. CAMPBELL. What is the largest city in the Territory?

Mr. WICKERSHAM. Fairbanks.

Mr. CAMPBELL. What is the size of it?

Mr. WICKERSHAM. It has a population of about 6,000.

Mr. CAMPBELL. And that is the city in which are found all of the modern conveniences of civilization?

Mr. WICKERSHAM. That is one of the numerous towns in the Territory that have the modern conveniences of civilization.

Mr. CAMPBELL. And what are the conveniences to be found in Fairbanks?

Mr. WICKERSHAM. In Fairbanks we have electric light, steam heat, automobiles, high schools, seven or eight churches, two big hospitals—in fact, we have everything that will be found in ordinary towns in the East.

Mr. KINKAID of Nebraska. Mr. Chairman, I would like to inquire of the Delegate from Alaska if Juneau and Nome and Skagway are not also growing towns with considerable population—5,000 and up?

Mr. WICKERSHAM. Oh, yes; and Valdez, and Cordova, and 20 others.

Mr. KINKAID of Nebraska. Have they not all over 5,000 and upward of population?

Mr. WICKERSHAM. Many of them, but not all of them; no.

Mr. KINKAID of Nebraska. Well, Nome has had as high as 15,000 during the summer.

Mr. WICKERSHAM. Yes; at the time of the census of 1900.

Mr. FLOOD of Virginia. I will say to the gentleman that is where the error of the census of 1900 came from. Those people

at Nome did not really live there, but they took them in the census.

Mr. KINKAID of Nebraska. That is, they lived there while they were there.

Mr. FLOOD of Virginia. They were there prospecting.

Mr. KINKAID of Nebraska. And were not there all the winter.

Mr. FLOOD of Virginia. They did not stay there long, and that is the population that was taken by the Census Bureau. They were counted under the census of 1900. Many of them were in tents on shore and many on boats in the harbor, and the taking of them in the census greatly swelled the total of Alaska for 1900 and renders a comparison of that census with that of 1910 unfair. But for this fact the increase in the population of Alaska during the last decade would have been considerable.

Mr. KINKAID of Nebraska. For a long time they had a permanent population at Juneau.

Mr. FLOOD of Virginia. Yes; and they still have. Juneau is the capital and is a growing town.

Mr. KINKAID of Nebraska. For a long time it had perhaps the most permanent population of any of the cities, until Fairbanks was started.

Mr. FLOOD of Virginia. Mr. Chairman, I do not care to occupy any further time at this time. I may avail myself of the opportunity to close this debate, and I now ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD of Virginia. Mr. Chairman, I ask the gentleman from New York [Mr. DRAPER] to use some of his time.

Mr. LENROOT. Will the gentleman yield for one question?

Mr. FLOOD of Virginia. Certainly.

Mr. LENROOT. I would like to call the gentleman's attention to one sentence in section 10 of the bill and ask for the gentleman's construction of it:

But no law shall be passed interfering with the primary disposal of the soil.

Will not the gentleman elaborate upon that a little?

Mr. FLOOD of Virginia. That is a provision that is put in all acts of this kind establishing a Territorial form of government. The Federal Government has never surrendered its right to dispose of the soil. It has a constitutional right to do so, and has claimed that right and has never surrendered it, and this is copied from all other acts of this character.

Mr. DRAPER. Mr. Chairman, I yield one hour to the gentleman from Michigan [Mr. WEDEMEYER], a member of the committee.

Mr. WEDEMEYER. Mr. Chairman, I am in favor of the bill providing for a legislative assembly for the Territory of Alaska.

Without reflecting in any way on the splendid work of the men who have served on the Committees on Territories as well as the District of Columbia Committees, in this and previous Congresses, I feel that there is much truth in the discussion that I read the other day in a Seattle publication, and from which I quote the following:

The Federal Government at Washington City is not good at local government. Congressional government of any locality can not be good government. It may be better than no government. But for American citizenship—and Alaskans are American citizens—local government, local laws for local needs, is the best, and American citizenship has a right to the best government; has a right to make and administer its own laws—to have the benefit of its own best powers of local administration of its own laws, upon its own responsibility. Alaska has the right of self-government in the spirit of self-conscious freedom, with responsibility for its own mistakes.

Believing in the doctrine laid down in what I have quoted, I have felt it my duty to say a word in this behalf, without in any wise reflecting upon the splendid work of the committees that have had to do with Alaskan matters in the past, and knowing that the present Committees on the Territories, both in the House and the Senate, from the chairman down to the last members, are anxious to do what shall be for the very best interest of our great Territory to the North.

I have seen something of Alaska—only a small part of it, to be sure, for Alaska is continental in its proportions. However, I think that on the trip I took in the fall of 1909 I learned something of the spirit of the Alaskan people, for I visited a number of the leading towns, including the capital, and met many representative Alaskans.

I left Seattle for Skagway on the good ship *Humboldt*. On the way up the inside passage on the second day out we took on the passengers of the disabled ship *Cottage City*, and when I got back to my stateroom I found assigned to me as a fellow passenger Peter T. Rowe, the Episcopal missionary bishop of Alaska. I was very fortunate in this regard, because no

man understands Alaska and its problems better than Bishop Rowe, who for 16 years or more has ministered to the people of that remote Territory. There is not time here to speak of his good work, as well as that of the representatives of the other denominations. It is only the truth to say, however, that the progress that has been made in Alaska would have been utterly impossible without the unselfish efforts of missionaries of all denominations who have toiled unremittently and under the hardest possible conditions.

Bishop Rowe appeared before the committees of both Senate and House recently, urging some action on Alaskan matters in which he was specially interested.

On the same boat, *Cottage City*, Gov. Clark and his wife were started on their way to Juneau, the capital, where the governor was about to enter upon his duties. He also was transferred to the *Humboldt* and was a fellow passenger during several days of my trip. I saw him land at Juneau at 3 o'clock in the morning, where he was greeted by the retiring governor and leading citizens generally.

I had met many Alaskans at the Seattle Exposition which was going on at that time. I met many of them on the way up on the boat, as well as in the various towns at which we stopped, men representing every phase of Alaskan life. It took me but a short time to discover the desire of the Alaskan people generally for some form of local self-government. I was interested to note the comments of the newspapers as to Gov. Clark, just then entering upon his duties. I saw a number of Alaskan papers on my trip, and all I saw took very strong grounds in favor of local self-government for Alaska. All of them in unmistakable language expressed the hope that Gov. Clark would be in favor of this proposition. Some of them even said very bluntly that if he was not so disposed he could not expect very enthusiastic support on the part of the people of the Territory. I have no copies of these papers at hand, but I am sure that I am reflecting substantially the spirit of their utterances.

About the time of my trip to Alaska the President was in Seattle, Wash., at the Alaska-Yukon-Pacific Exposition. On September 29 the following telegram was sent him, signed by all the newspapers in Alaska except two, by the mayors of the incorporated towns, and by heads of certain commercial bodies:

FAIRBANKS, ALASKA, September 29, 1909.

WILLIAM H. TAFT.

President of the United States, Seattle, Wash.:

A united press and people of Alaska, in aid of constructive legislation for the creation of a government by the people in this Territory, and in aid of the development of its natural resources, respectfully request you to recommend in your next message to Congress and give your support to the creation of an elective Alaskan legislature in substantial conformity with Delegate WICKERHAM's bill introduced at the recent special session of Congress.

Fairbanks Daily News-Miner; Fairbanks Daily Times; Daily Nome Gold Digger, Nome; Daily Nome Nugget, Nome; Skagway Alaskan, Skagway; Daily Miner, Ketchikan; Daily Alaskan Dispatch, Juneau; Pioneer Press, Haines; Seward Gateway, Seward; Hot Springs Echo, Hot Springs; Tanana Leader, Fort Gibbon; Valdez Prospector, Valdez; Cordova North Star, Cordova; Tanana Miner, Chena; Daily Tanana Tribune, Fairbanks; Douglas Island News, Douglas; E. Valentine, mayor, Juneau; W. B. Watts, mayor, Nome; T. Tonseth, mayor, Chena; L. Archibald, mayor, Valdez; C. Ott, mayor, Eagle; H. Ashley, mayor, Skagway; Jos. H. Smith, mayor, Fairbanks; E. O. Smith, president Sitka Chamber of Commerce; E. G. Hale, president Seward Chamber of Commerce.

President Taft in his message to the last Congress, as well as in a message communicated to this House February 2, 1912, called attention to the inadequacy of the present system of government in Alaska.

Secretary Fisher, in his annual report, said:

Conditions in Alaska call for immediate action by Congress. Its proper administration and development can not be accomplished under existing laws. These laws neither promote development nor protect the public interest.

#### RELIEF FOR ALASKA.

He recommends as measures of immediate relief:

First. The construction by the Federal Government of a central trunk-line railroad from the tidewater to the Tanana and the Yukon.

Second. The passage of a liberal but carefully guarded leasing law for the development of its mineral resources, and especially of its coal lands.

Third. The reservation of sufficient amount of these coal lands to provide for the future needs of the Navy, and the mining of this coal by the Government for this purpose.

Fourth. More liberal appropriations for aids to navigation, such as lights and buoys.

Fifth. More liberal appropriations for the construction of roads and trails.

Sixth. The adoption of a form of Territorial government better adapted to its remote situation and peculiar local conditions.



The report sets forth that the Secretary of the Navy states that there should be reserved in Alaska, for the use of the Navy for the next 50 years, sufficient high-grade coal to supply an average of 400,000 tons per year.

#### FORM OF GOVERNMENT.

Concerning his recommendation for a change in the form of government in Alaska, Secretary Fisher says:

Taken into consideration with the comparatively small and widely scattered population and the inadequate means for transportation and communication, it would seem to demonstrate that a commission form of government would best meet the existing situation. Such a commission would consist of appointed representatives of the Federal Government and locally elected representatives of the Territory itself. To it would be transferred, under appropriate limitations, the authority to make Territorial laws and regulations such as are sadly needed. Among these needs are some of the fundamental requisites of modern civilized society, such as regulation of the public health, sanitation, and quarantine; the registration of marriages, births, and deaths; poor relief; compulsory school attendance; supervision of banking institutions, etc.

While disagreeing with Secretary Fisher as to some details, especially with reference to appointive members of the proposed commission, nevertheless I am glad to quote from his report, which confirms the general proposition that there must be a radical change from present conditions in the government of Alaska.

Incidentally it is interesting to note that the report says that the investigation of coal claims in Alaska is proceeding as rapidly as possible, and Secretary Fisher calls attention to the decision of the Commissioner of the General Land Office canceling the so-called Cunningham entries on coal land. The total number of locations in Alaska coal claims is given as 1,125, and the number of applications for patent 521.

I do not think there is much room for difference of opinion on the point that something must be done for Alaska. As its government is scattered among so many different departments, it is hard to say which department is controlling the specific matter that may be under consideration. So that, without blaming anyone in particular, it sometimes happens that a man is sent around from one place to another until he despairs of finding to whom he shall appeal.

The Interior Department has charge of the general executive administration, as well as charge of the Indians, public lands, and schools. The judiciary system is under the Attorney General of the United States. The Agricultural Department has charge of the forest and game laws, experiment stations, and meteorological records. The Commerce Department has charge of lighthouses, coast and geodetic survey, fisheries, steamboat inspection, and so forth. The War Department has charge of the roads, trails, and so forth, through the board of road commissioners, consisting of three Army officers, who report to the Secretary of War. The cable and telegraph are also under the War Department.

At this point I desire to insert, if there is no objection, certain historical facts, which Judge WICKERSHAM stated before our committee, showing the development and present status of the government of Alaska:

We purchased Alaska from Russia, in 1867, at a cost of \$7,200,000. There had been in that country prior to the purchase the Russian-American Co., which had long governed the Territory under a charter from the Czar of Russia. They had also a brief code of laws written by the counselors of the Czar, and that was all the law that there was in that entire country. The officers of the Russian-American Co. were the only sources of power in the country. If an offense was committed, the officers of that company had authority to try the offender; and if it was such a serious matter that they thought it ought to be done, they transported him to Russia for final trial and punishment. All civil matters were settled by the officers of the company in Alaska, and there was practically no appeal from anything they did there.

When we purchased the Territory, in 1867, their laws were laid aside. They have not been appealed to since, and our laws took their place. In 1868 Congress passed a law extending the customs laws to Alaska and the laws relating to navigation and trade. These were the only laws that we had in that country for a good many years. Gen. Rousseau went to Alaska in 1868 in command of United States troops; he lowered the Russian flag at Sitka, raised the American flag there, took possession of the country, and held possession for several years by military force alone. There was no organized government of any kind from 1867 for many years. The military forces were withdrawn about 1875, and the country was left without law or power of any kind except that represented by the Revenue Cutter Service. That service, of course, had control under the customs laws and performed such duties only as were necessary to enforce the customs laws. With the exception of that service there was no semblance of power or government of any kind in Alaska from the time the soldiers left, in 1875, until 1884.

In 1884 the conditions had grown so bad that the attention of Congress was directed to the situation and the first act for the organization of the Territory was passed. That bill was drawn by Senator Harrison, of Indiana, and it provided for the organization of the Territory. It provided for the appointment of a governor and a single judge, a marshal, clerk, and minor officers of a single court. From 1884 until 1900 that was all the organization we had in that country. No laws were passed for the government of the country, but the laws of Oregon were extended to Alaska by the act of 1884, and from 1884 until 1900 the laws of Oregon were in force in Alaska as far as they were applicable. The settlements in Alaska at that time were in the neighborhood of Juneau, Sitka, and Kodiak. There were small American settlements around Juneau. West of Kodiak there were old Russian settlements, and I want to call the attention

of the committee to the Russian people in that country. We had at Unalaska, Belkofsky, Unga, and Kodiak, and even down as far as Sitka, a large number of Russians and their half-breed descendants, who had remained in that country after the United States purchased it. I know a great many of those people, and a better class of men do not exist in any country. They are a quiet people; they belong to the Russian-Greek Catholic Church and are devout church members. They are hard workers, the most of them being fishermen. They are men of families and have homes and everything that makes for the good of a community.

In that connection I want to call your attention to the third article of the treaty of 1867, which I will read:

"The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. The uncivilized tribes will be subject to such laws and regulations as the United States may from time to time adopt in regard to aboriginal tribes of that country."

That is practically the clause contained in the treaty by which we acquired Louisiana, Florida, and the Mexican cessions. The words are almost identical in those three treaties, and the Supreme Court has defined and given them force. When this treaty was proclaimed and approved by Congress, we are justified in saying that Alaska was incorporated into the body of the United States and that those people had the promise of future statehood for the Territory. They were to be given the rights of citizens of the United States, but they have never had those rights. Those treaty obligations have never yet been given any force or validity unless the mere approval of the treaty by Congress had that effect.

After the customs laws were extended, in 1868, we had no other law until 1884. There were some laws regulating commerce which were held to extend to Alaska, but it was not until 1884 that the act providing a civil government for Alaska was passed. After that practically no laws for Alaska were passed until 1899. In 1899 a criminal code was passed by Congress especially for Alaska. That criminal code was taken generally from the Code of Oregon, which had theretofore been extended over the Territory of Alaska. Then in 1900 Congress passed a civil code for Alaska and increased the number of courts, so there were three courts in Alaska instead of one. There were three ordinary district courts, such as all the other Territories have had before us.

As I stated, in 1900 we had a civil code passed by Congress, and these three courts were created. We had no legislation after 1900 until 1906, when Congress passed a law providing for the election of a Delegate from the Territory of Alaska. We have had no legislation from that time until this, except an appropriation for some roads in Alaska and some small legislation in respect to fisheries. So that the situation now is that we have a governor, just as all other Territories have had; we have three courts, and a fourth court was added two years ago. We now have four district courts, which have the same jurisdiction as the courts of the other Territories. We have the usual executive and judicial departments of the Territory, but we have no legislative department of any kind. We never have had any legislative department in Alaska. Congress is our legislature. We are obliged to come to Congress every time we want the slightest amendment to any of our laws. We are obliged to come to you for everything of a legislative character, although we have courts and a governor.

That is our situation, and we now come before this committee asking you to pass a law giving Alaska a legislative assembly such as all the other Territories have had.

Of course for many years Alaska had practically no government at all, and it was the conditions that obtained then, as well as the unsatisfactory conditions that followed, which brought forth the following outburst, addressed to the United States by one of Alaska's poets:

Sitting on my greatest glacier, with my feet in Bering Sea,  
I am thinking, cold and lonely, of the way you've treated me,  
Three and thirty years of silence! Through ten thousand sleeping nights  
I've been praying for your coming, for the dawn of civil rights.  
When you took me, young and trusting, from the growling Russian Bear,  
Loud you swore before the Nation I should have the Eagle's care.  
Never yet has wing of Eagle cast a shadow on my peaks.  
But I've watched the flight of buzzards, and I've felt their busy beaks.

[Applause.]

While not subscribing to all the sentiments of this poem, it is interesting, nevertheless, as showing the feelings of the Alaskans. It is only the truth to say that the very best and most conservative men up there are anxious for some definite voice in their own affairs.

When Mr. WICKERSHAM appeared before the Senate committee, he pointed out that his secretary, then 22 years of age, had lived in Alaska 16 years. The mayor of Juneau has lived there for 27 years. Further, he said:

Unalaska, Kodiak, and Sitka were established long before the State of Oregon was thought of, or before Oregon, Washington, or California were organized. Those were Russian-American posts, and have been international marts of trade for more than a hundred years. They have had Russian schools, the Russian church, and Russian civilization of the best kind in Alaska for more than a century.

It is often said that there is no permanent population in Alaska. In reply I would say that there is a very considerable permanent population; but there will be, however, no such development as Alaska ought to have until her citizens are given the right of local self-government. An American will not lead his life in a region where he has not the usual rights of citizenship, except where the inducements are extraordinary; but even under the conditions that now obtain there is a very considerable permanent population, and that permanent popu-

lation will be greatly increased the moment Alaska is given the proper degree of local self-government.

Alaska has great charm. The poet Service has pointed this out better, probably, than any other writer in his great poem, *The Spell of the Yukon*. I wish every Member of Congress might read it.

He says this in reference to the land we know as Alaska:

Some say God was tired when He made it;  
Some say it's a fine land to shun;  
Maybe; but there are some that would trade it  
For no land on earth—and I'm one.

Note what Service says as to the seasons:

The summer—no sweeter was ever;  
The sunshiny woods all athrill;  
The grayling aleap in the river.  
The bighorn asleep on the hill.  
The strong life that never knows harness;  
The wilds where the caribou call;  
The freshness, the freedom, the fairness—  
O God! how I'm stuck on it all.  
The winter! the brightness that blinds you,  
The white land locked tight as a drum;  
The cold fear that follows and finds you,  
The silence that bludgeons you dumb.  
The snows that are older than history,  
The woods where the weird shadows slant;  
The stillness, the moonlight, the mystery,  
I've bade 'em good-by—but I can't.

And again—

There are hardships that nobody reckons;  
There are valleys unpeopled and still;  
There's a land—oh, it beckons and beckons,  
And I want to go back—and I will.

And they do go back and remain there from youth to old age; and there is as much, if not more, love for Alaska on the part of her people as there is for any other State or portion of the Union. In fact, she has a peculiar charm and fascination.

There's gold, and it's haunting and haunting;  
It's luring me on as of old;  
Yet it isn't the gold that I'm wanting  
So much as just finding the gold.  
It's the great, big, broad land 'way up yonder,  
It's the forests where silence has lease;  
It's the beauty that thrills me with wonder;  
It's the stillness that fills me with peace.

"Bonds and Stocks," Seattle, heads an enthusiastic article on Alaska with the words, "Alaska—population, 10,000,000." Then it begins as follows:

Why not? Between the sixtieth degree and the Arctic Circle, on the northwest coast of Europe, above the Baltic, is a population of 10,000,000. Why not in Alaska?

This comparison is made with the Baltic region of Europe because the climate there is not unlike that of Alaska. The Japan current has a wonderful effect on Alaska's climate.

In this connection the following article, which appeared in our daily papers, is of interest:

JAPAN CURRENT CHANGED—UNUSUAL WEATHER CONDITIONS IN ALASKA REGARDED AS RESULT.

CORDOVA, ALASKA, January 27, 1913.

A phenomenal change in the course of the Japan current, which brings it closer to the Alaskan coast, was reported here to-day by Capt. J. C. Hunter, of the steamer *Northwestern*, and Capt. P. A. Obert, of the steamer *Edith*, arriving from Seattle. Capt. Hunter said the *Northwestern* was set 50 miles eastward ahead of the log, running from Cape Flattery to Cape Elias.

Unusual weather conditions, believed to be due to the change in the current, have prevailed here for weeks. The average temperature has been 44° above zero, and there have been heavy rains.

Reports from the interior show temperatures there 15° warmer than ever before recorded at this time of the year.

Warnings by wireless have been sent to steamships approaching Cordova.

Continuing, the article referred to makes in part the following graphic and thought-provoking statement of facts, figures, and suggestions, which are worth our reading even though we do not agree with them all, and surely not with those suggesting immediate statehood.

Mr. FOWLER. Mr. Chairman, I desire to ask the gentleman if it is true, as reported through the press last winter, that when we were having our zero weather here that the Alaskans up on that coast were wearing straw hats?

Mr. WEDEMEYER. Well, I did not intend to bring this in, but, as the question is asked, I will answer by quoting something I have here. In response to the gentleman's inquiry I will say this: There was an article headed "Alaska as a winter resort," which appeared in one of the Washington papers a month or so ago, and this is what it said:

"Gov. Clark, of Alaska, was not wrong when he made the prediction that our northernmost Territory is liable to become a popular winter resort," remarked M. E. Sullivan, of Juneau, at the Willard. "When I left Alaska several weeks ago the weather was as balmy as the finest spring day in Washington. Straw hats and linen dusters were being worn, despite the fact that other sections of the United States were experiencing the most severe winter of the last 20 years. Whether this condition existing in Alaska at the present time is due to a sudden change in the course of the Japan currents I am unable to say. I notice the Hydrographic Office in Washington denies that any such thing has

taken place. They may be all right in their contention, but I do know that we have had some strange weather in Alaska within the last month or so. Whether our Territory is to become a rival of Florida as a winter resort I do not pretend to say, but we certainly have had no use for overcoats up there recently."

Whether this interview is slightly overdrawn or not, this surely is true—

Mr. HARDY. Will the gentleman yield to an interruption there?

Mr. WEDEMEYER. Certainly.

Mr. HARDY. The gentleman remembers the testimony only a day or two ago before the Committee on Territories to the effect that the harbors of Valdez and Cordova and Seward were freer from ice than New York or even Washington?

Mr. WEDEMEYER. I suggested that a moment ago; that is true.

Mr. FOWLER. Before the gentleman begins, I presume I misunderstood the gentleman a moment ago when he referred to Alaska. I understood the gentleman to state it was something about 10,000,000.

Mr. WEDEMEYER. Oh, no; I spoke of an article that said, "Alaska, why not 10,000,000," and the argument that is made in the article is that that portion of Europe which has the same climate, or practically the same climate, as Alaska supports 10,000,000.

Mr. FOWLER. I understand it is 67,000, or something like that.

Mr. WEDEMEYER. It is 65,000. This answers the question. I am now quoting from a Seattle paper as to Alaska and her future:

By the census of 1910 Alaska has 65,000 population, 30,000 north of the Yukon, the balance in the southern district—that is to say, 35,000 of the population in that portion whose coast line begins at the fifty-fifth degree, circles above the sixtieth degree, meets the Aleutian Islands, west, on the fifty-fifth degree of north latitude. In this district it is assumed that there are 300,000 square miles of land.

To make a State out of this southern district, or two States, would be a sensible thing to do. Under statehood it would quickly double in population, and then double again and again. We have precedents of American history to justify such political action.

By the census of 1850 Minnesota had 6,077 population and 80,000 square miles of territory. It was admitted as a State in 1858. The climate was as little understood and hence as much misunderstood as the climate of Alaska; and the average was but 6 inhabitants to every 80 square miles. Illinois was made a State in 1818. The census of 1810 gave the Territory 12,282 population. What a journey it was at that time from the centers of population on the Atlantic to Pittsburgh and thence across the swamps of Ohio and Indiana to Illinois. From the Atlantic seaboard to Alaska to-day the time is shorter, less expensive, and the trip can be made in luxury.

Oregon, by the census of 1850, had 13,204 inhabitants and became a State in 1859. It was weeks and months of travel distant from the populous East and from the growing Ohio Valley. Yet all these States have justified the political wisdom that hastened to give full statehood. Oregon has 95,000 square miles, and its population was 13 to each 95 square miles. Yet Oregon has always been capable of self-government.

Louisiana became a State in 1812, having by the census of 1810 a population of 76,560, of which it has been estimated that not more than one out of seven was an American. The rest spoke an alien tongue. Louisiana made good. Whatever political reasons may have impelled the rushing of the Territories named into statehood, there are greater political reasons and greater economic reasons why Alaska and, if there be any difference in reason at all, why the southern district of Alaska should have statehood.

With the opening of the Panama Canal must come the new era of the commerce of the United States upon the last and greatest of the commercial highways of the world—the Pacific Ocean. More than half, numerically, of the people of the earth front the Pacific Ocean. From the Canal Zone to the farthest Aleutian Island and thence to the Arctic the American flag will wave. No wildest diplomat of Europe or perspicacious statesman of world politics but knows by the divination of the arts of government and commerce that the American Nation in the commerce of the Pacific must make good the lead that devolves upon the forefront of the Aryan movement.

Alaska, in a word, with millions of acres of agricultural lands, with deposits of precious metals, copper, tin, and coal, and immense timber areas, is the hostage of the American Nation to its position in world commerce, politics, in the Pacific Ocean.

If this Nation is justified in an expenditure of \$500,000,000 to cleave the neck of the Isthmus between the Caribbean Sea and the Pacific Ocean, the Nation is justified in every promptest political measure for the stimulation of Alaskan economic development and in the most adequate expenditures by the National Government upon its maritime domain. Whatever the United States does for Alaska is a national benefit; and whatever Congress does in conferring local autonomy under the Federal system upon Alaska is a national benefit; and these benefits are a national necessity.

Political and commercial foresight dictates these policies. Not too often can it be repeated to the American people that Alaska is a more hospitable climate than the like region on the northwest coast of Europe. The sixtieth degree of north latitude runs through Christiania and Stockholm, cities of 300,000 population; and through St. Petersburg, in Russia, with more than a million inhabitants. It is the same degree at Seward, Alaska, but the climate, warmed by the currents of the Pacific Ocean, is more like that of the British Isles.

It is the wonders of Alaska that paint the tales of the traveler to the listening ears of the home stayer—the mountains and the glaciers. A slighter impression follows description of the great areas of agricultural land. The hardships of the pioneer in Alaska between the sixtieth degree and the Arctic Circle are only comparable to those of our former unsettled territory—no greater than in Ohio and Indiana in their dense forest swamps, or in Illinois or Minnesota, and the vast prairies of which the conquest was so quick—largely because the political action was so prompt for local self-government—and the system of segregation of the public domain was both simple and swift, so that the buyers of Government land were not in uncertainty.



It is a far cry from Alaska to our Congress; to the presidential executive function; to the Interior Department; to executive discretion in governmental matters so prone to drop into personal discretion or political partisan discretion. From these things Alaska should not be compelled to suffer.

It is as intolerable to business interests and property rights in the segregation of the public domain that Alaskan citizenship, American citizenship, should be continually impaled upon the uncertainty of appeal to the presidential executive or the Interior Department or to the Congress for equal and personal rights—as that the Colonies should be under a like condition in the eighteenth century. And such a condition should be as intolerable to the mass of the American people as it is to the citizenship of Alaska and of the Pacific slope. It is a humiliation to the American electorate that it should be placed in the position of constant petition to official administration.

The sturdy Yankee citizens of Michigan, having by the census of 1830 a population of 51,639 and an electorate of about 6,000 voters inhabiting a territory of 57,000 square miles in 1837, literally forced and cajoled and compelled from the reluctant partisanship of the time Statehood for Michigan. There is a larger justification for the inexorable demand for local political self-government for Alaska.

It is as incongruous to expect Congress to make and executive departments to administer local laws as for a State to make national laws. The product of an incongruity is a misfit. The evil results are met at every turn of political and commercial activity, and added patchwork departmental orders, rules, and regulations are but an increase of confusion. Individual action is paralyzed and capital investment stands aloof.

There is not much danger of foolish or unreasonable legislation at the hands of men who come direct from the people of Alaska itself. Besides, the proposed bill that we are now discussing provides:

That all laws passed by the Legislature of the Territory of Alaska shall be submitted to Congress by the President of the United States, and if disapproved by Congress they shall be null and of no effect.

Mr. FOWLER. Is that in common with the Territorial organization of other Territories of the United States in the past?

Mr. WEDEMEYER. What we are asking is absolutely in common with what has been given to other Territories in the past.

So, of course, Congress would still have control, but the initiative in local matters would be taken by the local legislature, the only body qualified to take such initiative, and the only body of men that can know the situation in detail as it actually exists.

The expense of the legislature would be more than counterbalanced by the advantage to be obtained by the effective local administration of affairs rather than by the long-distance and expensive handling of local matters, concerning which most of us are, and always will be, in great ignorance.

This is no radical bill. The criticism of most Alaskans is that it does not go far enough. Everything is still under the control of Congress, but it provides a local body that will understand local affairs and initiate needed local legislation, which Congress, by the very nature of the case, never can properly initiate.

Alaska, I believe, is to see wonderful development in the next few years, provided we give her the legislation that her people desire and deserve.

On my trip to Skagway, I stopped at Prince Rupert, the Pacific terminus of the new road that is being built in Canada, way north of the present Canadian Railway. Prince Rupert is near the southern boundary of Alaska, and yet it is not as far north as Edinburgh, and 350 miles south of St. Petersburg. A branch will be built to Dawson, in Canadian territory, near the Alaskan line. At least such a branch is contemplated, and if built will serve, together with other railroads that are being built or projected in Alaska herself, as an entrance to the great agricultural regions in the valleys of Alaska's mighty rivers.

The chairman of the Committee on Foreign Affairs, the gentleman from New York, who probably knows more about Alaska than any other man in this House except the Alaskan Delegate, prophesied in a hearing some time ago that the day would come when Alaska would raise more oats, barley, and wheat than any State in the Union. He said:

Alaska can grow the finest wheat in the world. It took the prize at the St. Louis Exposition. It is northwest wheat, and it beats Manitoba No. 1. The great valleys of the Sushitna, the Tanana, the Yukon, the White, and the Kuskokwim have great agricultural possibilities. At present, however, the principal sources of wealth are its wonderful mineral products, but in southeastern and southwestern Alaska the timber is very valuable. Take it all in all, Alaska is rich in natural resources beyond the dreams of avarice.

It has been shown, too, that great herds of cattle will thrive in the not unfriendly climate of a large portion of Alaska.

About \$12,000,000 worth of fish are annually caught in the waters of Alaska. When the Alaskan Delegate appeared before the committee he said that Alaska had more gold than California and Colorado put together; more coal than Ohio, West Virginia, and Pennsylvania; more copper than Michigan, Montana, and Arizona; and then added, "It has more fish than the balance of the world put together." When some of the members of the committee laughed, the Delegate went on to show that the product of Alaskan fisheries, including seal and aquatic fur-bearing animals, down to 1910 amounted to over \$193,000,000.

I was interested myself in visiting the great cannery at Petersburg, Alaska, and saw the very latest and most wonderful machinery used in that line.

There is a strong feeling that the United States does not get anything like the taxation that she ought to receive from the fisheries of Alaska. It is one of the matters that demands attention. The following description is so graphic that I shall repeat it here from the Delegate's testimony:

If you were in Bristol Bay, Alaska, in the winter season you would see many great cannery buildings filled with machinery and fishing gear, but cold and lifeless. A single watchman at each plant keeps ward for nine months in the year. If you were to return to that bay in May, a different scene would greet you. Away off to the southwest you would see a fleet of vessels, like a hostile armada, coming northward through the Aleutian Passes. As the cloud of smoke approaches, it separates and different vessels seek the docks to which they belong and immediately begin to unload the season's supplies. First come thousands of men—from San Francisco, Portland, and Seattle—Chinese, Japanese, and nonresident fishermen, under a contract to go to Alaska for the short fishing season of three months and to be paid on their return to their home ports. The wharves groan with the weight of the merchandise and the supplies for the imported fishermen and with the season's fishing outfit. The boarding houses are opened, the stoves lighted, tables prepared, the fires are started in the canneries, boats are pulled out of winter quarters, tackle is prepared, sails hoisted, and in a few hours the bays and the rivers are white with the sails of the fishing fleet. For the next two months all is life and bustle. The business never stops. Fish, fish, fish everywhere. Boats, scows, wharves, and canneries are filled with fish; the machinery grinds, men work with nervous haste, and the finest crop of salmon ever seen in the waters of the world is caught and canned in this bay. Day and night the harvest proceeds, for the bay is sunlit 20 out of the 24 hours, and it is never dark. Crews are changed with military precision—while part sleep the others work—and the movement of fish from the sea into the cans never ceases. In 60 days the season is ended. Every can is filled.

And now the armada embarks its stolen riches. The holds of its vessels are filled with a season's crop—it amounted to more than \$12,000,000 in value last year—the Chinese, Japanese, and nonresident fishermen are loaded; the fleet sails away through the Aleutian Passes, leaving the cannery buildings and a watchman for another long winter; and Alaska has lost another crop. Out of nearly \$130,000,000 worth of fish thus taken from Alaska not a home nor a school nor a church has been built nor a child educated in the Territory.

There is the finest crop of salmon in the world running into Bristol Bay, and the canneries take out of Bristol Bay alone more than \$5,000,000 worth of salmon per annum, and it can, within 90 days from the day the first one of them gets there, load everything into the vessels and sail away, and a single watchman is again left for nine months in the year.

This income from the fisheries, added to the value of the gold taken out and brought to the United States, and merchandise sent back, makes our total commerce with Alaska amount to about \$55,000,000 annually. This is about equal to our commerce with Porto Rico, nearly equal to that with Hawaii, and about twice that with the Philippines. It was pointed out that in 1909, for example, 1 Alaskan was equal in trade value to 5 Hawaiians, 27 Porto Ricans, or 394 Filipinos. Surely the people who furnish this commerce, merely from the selfish and commercial side, deserve some consideration.

In addressing the Senate Committee on Territories, Senator JONES quoted from the Seattle Post-Intelligencer, one of the leading papers of the Northwest. I insert here part of one of its editorials:

#### ALASKA AND CANADA.

While the talk of the possible annexation of Alaska by Canada is too absurd for serious consideration at this time, the fact remains that all who are interested in Alaska are compelled to realize that the Alaskans themselves would be far better off under such an administration as Canada would give them, and that the Territory would develop infinitely faster than it can by any possibility if the policies which have been in force for the last few years continue unbroken.

The trouble with Alaska is twofold. It is dependent upon the National Congress for every particle of its legislation, and Congress has such an infinite amount of national work to perform that it has no time to spare to consider the local affairs of a remote Territory about which the average Member of Congress knows nothing.

If the situation could be approached with any sort of common sense; if Alaska could be accorded now precisely the same treatment as that accorded other Territories in the past, and that was none too good, Alaska would develop as other Territories developed; it would receive a great influx of population; its resources would be opened, and it would be among the greatest wealth producers of this continent.

Everyone in Alaska knows that if it were under Canadian rule it would have local self-government at once, and that every encouragement would be lent to the development of the country and the utilization of its resources. Everyone who has looked into the situation at all knows further that the wrongs of the thirteen original Colonies, which led to the Revolutionary War, were petty, indeed, beside the wrongs of the people of Alaska, but, save on this coast, no one in the whole country seems to consider that this amounts to anything.

While, as Senator JONES remarks, the language of that editorial is very severe, I think unnecessarily so, still it indicates the sentiment that obtains on this subject.

Another editorial, which is headed "Alaska's Permanent Mines," reads as follows:

#### ALASKA'S PERMANENT MINES.

From every present indication Alaska is to take a great step forward during the coming season. From several different parts of the Territory there come announcements of the progress made in the development of quartz properties, and the assurance that during the coming summer a large additional number of quartz mills are to be installed.

From Juneau comes the story of the certain construction during the coming summer of a mill costing \$600,000 on mining property in the neighborhood of that place. Other mining developments in the same neighborhood, coupled with the working of the Alaska-Treadwell, on Douglas Island, opposite Juneau, mean the employment of not less than 3,000 men permanently in the immediate vicinity of Juneau.

Farther up the coast come similar stories. The various mines in the vicinity of Seward, on which good veins of free milling ore have been uncovered, are showing up remarkably well as development proceeds. There have already been a number of small mills erected in the vicinity of Seward, and, without exception, each one of them has been cleaning up large amounts. Mills are to be installed on other properties, the showing of which justifies the confidence that even with small mills they can become heavy dividend payers and earn the money from their own ore to pay entirely for larger plants as expansion becomes necessary.

This is the mining development of Alaska which counts for the future of the Territory. Placers become worked out within a few brief years, but good quartz properties will be running 30 years from now.

If Alaska could have the handicaps upon her development removed, if that great Territory could have precisely the same treatment in all respects that was accorded all other American Territories during their pioneer days, it would develop rapidly into a great State.

The following editorial from the same paper is of interest as contrasting conditions with those in adjoining Canadian territory:

A member of the Yukon council, while in Skagway the other day, in speaking about the absence of any system of home rule in Alaska, as contrasted with that which is accorded the Canadian Yukon, gave some pertinent illustrations. He pointed out that so long as the Canadian territory was governed exclusively from Ottawa by federal officials conditions were unsatisfactory in every way. The administration given was both expensive and dishonest.

For some years past Yukon territory has had a wholly elective council, which has entire control over all local affairs, and there has never been a time in the history of the Territory when conditions were as entirely satisfactory as they are now. Alaska, in this respect, stands where the Yukon Territory of Canada did 10 years ago.

In all of the talk about the impossibility of giving Alaska a local government, why is it that no attention is paid to Yukon Territory and the Canadian method of dealing with the same problem? The Yukon Territory is very much smaller than Alaska and it has nothing like as large a number of people. In the whole Territory there is practically but one industry, that of gold mining, while Alaska exports other products annually of but little less value than its gold. The British Yukon has no coast line. It is isolated far in the interior, and it is difficult to reach any portion of it in the wintertime.

Yet the Canadian Yukon has complete self-government and full representation in the Dominion Parliament as well. Can it be argued that the Canadians are more capable of self-government than the people of Alaska? Is a gold-mining population on one side of an imaginary line more nomadic than on the other?

The simple truth is that the Canadian Government has treated its people in the north far better than has the Government of the United States, and with far more actual respect for the principles upon which our Government is founded than has ever been displayed by Congress.

Only recently, in December, 1911, a member of the Canadian Parliament from Yukon Territory was present at a banquet in Seattle. He discussed the matter of Alaskan local self-government with reference to the development of self-government in the United States. He showed that our country was based absolutely on that idea. Then he pointed out that we were denying Alaska the very principle upon which the United States separated from the old mother country.

In his discussion he was but reflecting the attitude of the editorials just cited, as well as the attitude of practically all the people in the far West who understand Alaskan conditions thoroughly. The people of Oregon, Washington, Idaho, and California generally are in favor of an elective Territorial legislature for Alaska. In Washington and Oregon resolutions to this effect were passed by the legislatures of those States. The commercial bodies of Seattle and other cities are working toward that end. Surely we need not be afraid to trust to the judgment and good sense of those who know Alaska best.

The editorial quoted on Alaskan mining makes it clear that we may look for a permanent mining population in the future, and this will meet the superficial and unfair argument that is often made to the effect that Alaska is going backward, because perchance some mining town has diminished in population. That happens often, everywhere, in mining and lumbering regions. Some spring up and have a boom, when mining and lumbering are at their height, and then diminish in population afterwards; but with a permanent mining population, such as we may look for, as well as approaching agricultural development, many growing Alaskan cities and towns will result.

Then, too, census comparisons are not sure guides as to the growth of Alaska, for the reason that, for example, the last census was taken in December, 1909, at the time when naturally a very large number of Alaskans were out of the Territory, while the previous census included thousands of people at Nome—on the beach and ships—who left very soon after the 1900 census was taken.

Sitka, the old capital, was a thriving town and the site of Alaskan government when Chicago was an Indian village and when the Indians held all the land between the Great Lakes and the Pacific. Sitka was making picks and spades for use in Mexico and California and building ships to provide that part of the world long before Oregon and Washington were known

to the business world. It is true that little of old Sitka remains. The old shipyards are lost in the sands, but it is still an interesting city. Baranoff's castle, burned in 1894, has been replaced by the spacious residence of the head of the agricultural experiment station. This, with the electric lights, and so forth, are an indication of a new era in Alaska. Here is a fine industrial school for the natives, founded by Brady. Next to Carlisle, this is perhaps the greatest of Indian schools. The Sheldon Jackson Museum is valuable. Russian schools and churches are here, and, all in all, it is a most interesting place, with its beautiful and picturesque surroundings—interesting not only because of present activities, but because of its traditions.

Alaska has traditions. She has an interesting history. She has seen great development, when every handicap is considered. However, the development of the past is as nothing measured by what the future is sure to bring, if we but accord her the same treatment we have given the other Territories in the years gone by. Alaska is but in the morning of her history; she is only in the forenoon of her best days.

And if her future is to be all it ought to be, then her people must have the right that every other Territory in the Union has had. As the gentleman from New York has said—

The bona fide residents of Alaska who intend to stay there the rest of their lives must have the right to make their own laws, to levy their own taxes, to regulate their own internal affairs, and to spend the money gathered by the tax collector for their own use, for their own schools, for their own charitable institutions, for their own roads, for their own municipal affairs, and for their own peace and happiness. This is not asking too much, in my opinion. It seems to me it is only fair and just and proper and right.

As to her climate, I have already pointed out the remarkable effect of the Japan current and the peculiar conditions that have obtained this winter.

Alaska is not, all, the bleak country that popular imagination has painted her. Much of her territory, thanks to the beneficent influence of the Japanese current, is capable of the same agricultural development as northern Europe and portions of our Northern States. Her fisheries, under wise governmental control, will long be a source of wealth, while the riches that lie buried beneath the ground will for many years to come attract the same hardy race of men who are proud now to be known as Alaskan pioneers.

We owe something to the self-reliant pioneer who has blazed his way in "that land that measures each man at his worth."

We owe something to—

The nameless men who nameless rivers travel  
And in strange valleys greet strange deaths alone;  
The grim, intrepid ones who would unravel  
The mysteries that shroud the Arctic Zone.

We owe to them the privilege of self-government—a privilege we should be slow to deny men of our own blood who have overcome every obstacle that man or nature has put in their way. Surely the Alaskan, by sternest training, is fitted, if ever an American citizen has been, for at least the restricted degree of local self-government which this bill provides. Why withhold it from him longer? [Applause.]

Mr. FLOOD of Virginia. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Chairman, Alaska is a wonderland. Nine-tenths of the people of our country have no idea of the vastness of her boundaries, the extent of her domain, the grandeur of her scenery, the salubrity of her climate, the greatness of her mountains, the length of her rivers, the possibilities of her fisheries and her forests; the grazing advantages in her valleys for sheep and cattle; her splendid agricultural resources; her incalculable mineral wealth; and her splendid homes for the multitude in the land up there that spells opportunity for the earnest worker and the brave pioneer.

Alaska is a marvelous land. She would make 470 States of the size of Rhode Island. She has the greatest gold, and iron, and copper, and lead, and coal, and tin deposits in North America. Alaska has 599,446 square miles of territory—more than 383,645,440 acres of land—and the greatest fishing waters in all the world, teeming with the best food fish on earth.

Alaska is God's country. She is over twice the size of the German Empire; 14 times the size of the State of New York; and has more copper known to-day than Michigan and Arizona combined. She is one-fifth the size of the entire United States; has paid for herself five times over in money actually collected in Alaska and deposited in the Federal Treasury. Alaska was purchased from Russia for \$7,200,000, less than 2 cents an acre, and has produced in gold and silver alone more than 29 times what she cost—the cheapest bargain in land in the annals of time.

Alaska has a known coal-bearing area larger than all the rest of the coal-bearing area in the United States. Alaska has the



greatest cattle and sheep ranges now in the north, and agricultural possibilities beyond the imagination of the finite mind—a mighty empire is Alaska that welcomes heroic man.

What does Alaska want? Alaska demands home rule—the right of her people to govern themselves—an inherent American right that Congress has never denied to any of our people in any part of our domain in all our past, and which should no longer be denied to the hardy men who have gone to the north-land and made their homes in Alaska. The Alaskans want Territorial government. They want the right that every other Territory in the Union had—the right to make their own local laws, to levy their own local taxes, to regulate their own internal affairs, and to spend the money gathered by the tax collector for their own use, for their own schools, for their own charitable institutions, for their own municipal affairs, for their own trails and roads, and for their own peace and happiness. This is not asking too much. It is a fundamental right.

Alaska is entitled to local self-government. She has a population at the present time of upward of 60,000 bona fide citizens. It is true they are scattered over a vast territory, but it is also true that they are an honest, brave, intelligent, sober, God-fearing people who are our kin, and who ought to be treated as American citizens.

Alaska is one-fifth the size of the United States. Here is the map of Alaska. Look at it. Study it. If you take this map in actual area and put it on the map of the United States proper, one part of Alaska will be in the Atlantic Ocean opposite Charleston; another part of Alaska will be in the Pacific Ocean opposite San Francisco; another part of Alaska will be in the Gulf of Mexico south of New Orleans; and another part of Alaska will be in Canada north of the Great Lakes. People have no conception of the vastness of this territory, and there has been dissemination throughout this country for several years past more misinformation regarding Alaska and her resources and her people than about any other matter of public moment in the recent history of our country.

Let us examine this map. This part of Alaska is called southeastern Alaska; this part of Alaska is called southwestern Alaska; and this part of Alaska is called northern Alaska. These divisions marked on this map are the natural divisions of Alaska. Nature made them. Congress can not change them. In a straight line from Cape Chacon, in southeastern Alaska, to Point Barrow, in northwestern Alaska, is about 3,000 miles. In a straight line from Cuba to Greenland is less than 3,000 miles, and there is nearly as much difference in the climatic conditions in Alaska on the Pacific coast as there is between Cuba and Greenland on the Atlantic coast. The climate of our Atlantic coast is governed to some extent by the Gulf Stream. The climate on the Alaskan coast is governed almost entirely by the wonderful Japan Current, and that inexplicable current is much greater than the Gulf Stream. Southeastern Alaska has a mild climate winter and summer. The mean temperature at Sitka is the same as the mean temperature at Washington, D. C. Southwestern Alaska has a climate similar to the climate of southern Canada. North of the Yukon River to the Arctic Ocean Alaska has a cold climate in winter and a hot climate during the short summer months. Southeastern Alaska is composed largely of beautiful islands. It is a mineral and a fishing country, rich now, and destined to become more so. Some of these islands in southeastern Alaska are heavily timbered with pine, spruce, hemlock, and red and yellow cedar.

The timber resources of these islands in southeastern Alaska are invaluable, and thus far they have never known the sound of the woodman's ax. They are virgin forests. The fishing industries in southeastern Alaska are becoming the greatest in the world. According to the Government report, there are over 30 different kinds of food fishes, and only last summer the United States Fish Commission boat, the *Albatross*, found the habitat of these fish on the great banks off the coast of Alaska—the home of the salmon and the halibut and the herring and the mackerel. This part of Alaska will furnish for years and years to come enough food fish to supply the wants of the people of the United States. Southeastern Alaska will never be an agricultural country, because it is too mountainous. It has no valleys and no rivers, but it has an ideal climate, and it is going to be the sportsman's and the poor man's and the sick man's paradise. It is a saying up there that "When the tide is out the table is set," because no poor man need go hungry in southeastern Alaska unless he wants to do so. He can live on the products of the sea.

Southwestern Alaska, from the international boundary line to the Aleutian Islands, is a wonderful country and quite different from southeastern Alaska. This part of Alaska is rich in mineral wealth; incomparable in its possibilities for cattle and agriculture, and part of it is well timbered and exceedingly fertile.

There are great valleys in this part of Alaska—the Copper River Valley, the Susitna Valley, the Ytna Valley, the Tanana Valley, and the Valley of the Kuskokwim—all awaiting development. It is estimated that in this section of Alaska there is at least half as much coal as there is in all the rest of the United States, and within its confines are the greatest cattle and sheep ranges under the American flag. Here is the land for the immigrant. Here is the place for the home seeker. In these valleys are vast stretches of arable lands much greater in area than some of the States of the Union; and this part of Alaska alone, it is said by those who are competent to testify, can support a people larger than the population of Norway and Sweden and Finland and Denmark combined.

Look again on the map. On the hills here in southwestern Alaska are great cattle ranges, and here in abundance grows what is called buffalo grass—grass that stands 5 or 6 feet high, rich in saccharine matter; and the cattle graze out here all the year without protection from the weather. It is a superior country for cattle grazing to anything in our Northern States. They have no blizzards, and the winters, although cold, have little snow, and the climate is dry and invigorating. Cattle graze there all the year round, and they are fatter and in better condition in the spring than they are in the fall. What a country for the cattleman!

Alaska north of the Yukon is a vast country, stretching away from the Yukon River to the Arctic Ocean. This part of Alaska has very little timber. It is a barren land and essentially a mining country. It is rich in mineral resources, in copper, and gold, and tin, and coal, and various other kinds of minerals. This part of Alaska will always be sparsely inhabited by a migratory population, by people who go there to mine, and when the mines are worked out they will come away.

Southwestern Alaska, however, is destined in the next 25 years to have a permanent agricultural and cattle-raising population, and the day will come when this part of Alaska will contain and sustain several millions of people. It has now a permanent population of thousands who have gone there and been there for many years, many of whom were born there and they intend to stay there. Mark what I say, the day will come when southeastern and southwestern Alaska will be States in this Union.

Alaska's production of mineral wealth is growing apace. The mineral production for 1911 is estimated at \$20,370,000, of which \$17,150,000 was gold. The gold production of 1910 amounted to \$16,128,749. The copper output is estimated at 22,900,000 pounds in 1911, against 4,241,689 pounds in 1910. Alaskan mines and quarries also produced silver, tin, coal, marble, and gypsum to an estimated value of \$390,000, an increase of \$200,000 over 1910. The total value of Alaska's mineral production since 1880, when mining first began, is, in round numbers, \$206,000,000, or more than 29 times the sum paid to Russia for the Territory.

Mr. Chairman, I have spoken of Alaskan resources as a reason for her recognition. Her mines of gold, silver, iron, coal, tin, and copper, already known to be great, are considered by many practically inexhaustible. She has the largest stamp mill in the world at Treadwell and bids fair to become the greatest gold-producing country on earth. The rapid development of the gold and silver mining industry of Alaska during the past few years is shown by the fact that the production has advanced from about \$3,000,000 in 1896 to about \$17,000,000 in 1910. This will increase rather than diminish. At present the value of the precious metals lies chiefly in the gold placers of Nome and the interior regions. In the Nome region some 5,000 square miles are known to carry auriferous gravels, while in the Yukon Basin the area of auriferous gravels is probably several times as large. But it is not all placer mining. Gov. Clark says that quartz mining is the kind in which Alaska will be preeminent in the near future and that even now it is affording the finest illustration in the world of profitable working of low-grade ores.

In the coast region of southeastern Alaska mining for gold, copper, and silver has been going on for a number of years. The development of this industry has been especially rapid since 1898, and it promises to become one of the most important mining districts of the country. The discovery of vast copper deposits in Alaska was made only a few years ago. Copper mining is now being done in several districts, and many tons of copper ore are being shipped weekly to the smelters. The investigations of the past two years have shown, however, that there are unquestionably vast undeveloped copper deposits in many other districts of Alaska. The coal of Alaska embraces lignites, bituminous, and anthracite. Coal has been found in nearly every part of Alaska, both on the coast and in the interior. The coal is so widely distributed that it must be re-

garded as one of its most important resources. It is a conservative estimate to place the area occupied by the coal-bearing rocks at 30,000 square miles. Accurate statements can not be made as to the figures of the fish industry for the year 1911, but it can be said that it has been continually growing and is still in its infancy. More than 30 varieties of food fish inhabit the Alaskan waters. The output of salmon now amounts to more than \$15,000,000 a year. Alaska can feed the fish-eating people of the world.

Considering the resources and the vast possibilities of Alaska—and all of these statements can be proved by records on file in the various departments of the Government—considering, I say, what is absolutely known, and which can not be successfully controverted, I stand here as a Representative of the people on the floor of the American Congress and ask why Alaskans should not have the right to govern themselves? Why they should not have home rule? Why they should not have a Territorial government? I pause for a reply in the negative.

No true American can deny Alaska home rule. No patriotic citizen will object to the Alaskans having a local legislature and the right to make their own local laws. Under the terms of this Territorial bill each of these four divisions indicated on this map will have two representatives in the senate elected by the people, and four representatives in the assembly elected by the people, and the cost of this local self-government will be so infinitesimal in comparison to the great wealth that Alaska is pouring into the American Treasury that we shall hereafter wonder why Alaska was denied for so long local self-government.

Mr. Chairman, I have been to Alaska several times. I know something about that vast domain. I know something about the sentiments of the people who live there, and I stand here and declare that the people of Alaska want Territorial government; and, knowing the facts as I do, I unhesitatingly say, and I defy successful refutation, that under all the circumstances Alaska is now, and long has been, entitled to Territorial government, and Congress ought to give it to the Alaskans without any more delay. Alaska is an anomaly in the history of our Territories. I know that the people of Alaska are, in every point of view, abundantly capable of maintaining a local form of government such as has always heretofore been accorded the Territories of the United States, and I deprecate the idea of further burdening the Congress with purely local legislation, as it is the duty of the Delegate to press upon the attention of Congress in the absence of Territorial organization. In my opinion, such legislation can safely be intrusted to the people of Alaska themselves, and, in my judgment, this bill providing for the same should be passed, according to her people the measure of self-government to which they are justly entitled, and which has never heretofore, except in the case of Alaska, been withheld from any considerable body of American citizens engaged in the settlement of a new district.

For years the people in Alaska have been asking for this boon. For years it has been wrongfully denied them. At last it appears to me, if I am any judge of popular opinion, that the Alaskans are going to get Territorial government by a practically unanimous vote in this House; and when this bill passes, as I hope it soon will, the Senate will pass it and the President will sign it. Then half the Alaska problem will be solved, many of her troubles will be reduced to a minimum, and Alaska will grow and prosper more in the next few years than she has in all the sad years of the past.

Mr. Chairman, in addition to Territorial government Alaska needs two other very important things. One is—better light-house service—more navigation lights. We do nothing like as much for our vast Territory of Alaska as the Canadian Government does for British Columbia. From Cape Chacon, Alaska, down to the State of Washington is all Canadian territory, called British Columbia. Along this coast is the inside passage, going to and coming from Alaska. All the ships from Puget Sound that go to southeastern Alaska and many of the vessels that go to southwestern Alaska take this inside passage, and for scenic beauty, for recreation, for health, and for pleasure it is the grandest waterway on all this earth.

The inside passage through Norway to the North Cape and the inside passage through the Straits of Magellan combined are not as grand and as beautiful as the inside passage from Puget Sound to the head of the Lynn Canal, a distance on water as calm as a mill pond for more than a thousand miles. People who have traveled all over the world, who have seen all the wonders of nature, hold their breath in silent admiration when they see the scenic wonders of the inside passage to Alaska. As a panorama of changing scenes of grandeur it is glorious beyond description. Thousands and thousands of tourists make this

trip every summer. Yet our Government is derelict in that it does not furnish for Alaska proper lights and lighthouses to safeguard navigation and protect life and commerce along our Alaskan shores. Every year there are two or three wrecks; every year there are lives lost, and all for want of navigation safeguards.

We are standing to-day in the shadow of one of the greatest marine disasters in all history. The tragedy of the *Titanic* appalls us. We are speechless in the presence of this awful catastrophe. More than a thousand lives went down into the depths of the sea with hardly a moment's warning when the *Titanic* struck. The horror of it all is indescribable. The people of the world mourn.

But every ship that makes this trip through the inside passage to and from Alaska is loaded with human freight, tourists, health seekers, pleasure seekers, our friends, our relatives, and our neighbors, and for lack of proper safeguards is liable to strike a hidden rock, or run upon an iceberg, or collide with a sister ship in the fog. It is criminal for the Government to neglect longer the installation of proper lights on the Alaskan coast.

Alaska has a tremendous coast line. The coast line of the United States on the Atlantic, on the Gulf, and on the Pacific is a little less than 8,000 miles. Our coast line in Alaska, from Cape Chacon around to Herschel Island in the Arctic Ocean, is over 20,000 miles. Yet for thousands of miles of that bleak and dangerous coast we have not a light, nor a safeguard to navigation. This is a crying need, and I hope the Committee on Appropriations will heed the insistent demands of the Lighthouse Board and make substantial appropriations in the future to give Alaska better lights along her coasts.

Mr. Chairman, another important thing the people of Alaska need is better transportation facilities. How shall our people settle in Alaska when they can not get around on land in that vast Territory? It is almost as difficult for people to travel in Alaska without transportation facilities as it is to journey on the Atlantic Ocean without a boat. Give Alaska decent transportation and you will find that our people in the United States will not be selling their farms in Iowa, in Minnesota, and in the Dakotas and taking their families, their money, and their possessions and going to Canada. They will go to Alaska. But they can not get around there now, because Alaska has very little transportation except water transportation. We have no transportation in southwestern Alaska save one railroad running from Cordova up to a copper mine. Alaska wants more dirt roads and more railroads through this great country. Look at the map again. Here is Resurrection Bay in southwestern Alaska—one of the great harbors of the world. All the fleets of the Pacific can ride safely at anchor in this magnificent bay and be invulnerable to attack. It is the greatest natural harbor we own in the north Pacific.

If anything should happen to our North Pacific Fleet it would have no port to make nearer than San Francisco, or Pearl Harbor, in the Hawaiian Islands. The fleet could not succeed in getting through the Straits of Juan de Fuca. Resurrection Bay is 1,800 miles nearer the Orient than either San Francisco or Puget Sound, and it is the best place in the north Pacific for this Government to have a naval base and a harbor of safety in case of emergency on the north Pacific Ocean.

The people of the United States, for their own welfare, should build a railroad from Resurrection Bay to the interior of Alaska to open the Tanana Valley, the Susitna Valley, and the wonderful Kuskokwim Valley. Then the people who leave our country to better their condition will go to Alaska and settle there. They will go up there and cultivate the ground and till the soil. They will develop the agricultural resources of the country. They will take advantage of the cattle ranges and produce enough meat to supply the wants of our people. They will produce mineral wealth beyond the dreams of avarice. A Government railroad from Resurrection Bay to the Yukon, opening up these wonderful valleys, would also develop the greatest coal deposits on this continent—the Matanuska coal fields.

Here are millions of acres of the finest anthracite coal on earth and of the best bituminous coal in the world. The Government could pay the expenses of operating the railroad every year by mining its own coal for the use of the Pacific Fleet.

The United States buys its coal at Newport News and transports it all the way around South America. It transports that coal in foreign ships, flying foreign flags, and manned by foreign seamen. Every year the Government pays for the coal for its Pacific Fleet and the Revenue-Cutter Service on the Pacific coast a sum of money amounting to millions of dollars. If that money was utilized to build this railroad it would pay a profit to the Government the first day it was in operation, and in 10



years would pay the Government back every dollar it will cost, and be one of the quickest agencies to help the people open up this wonderful country of Alaska.

We ought to do something for Alaska. It is a shame the way Congress treats Alaska. It is un-American, undemocratic, and unrepresentative. It is a violation of the fundamental principles of American citizenship. I cry out against governing Alaska like a conquered province. I have done all I could for Alaska since I have been a Member of Congress, and I shall keep up the fight for the right until the people of Alaska get what they want, what they demand as American citizens—namely, Territorial government, better transportation facilities, and more safeguards to navigation.

Mr. Chairman, every newspaper in Alaska is in favor of this bill for Territorial government. The Democrats and the Republicans in the Alaska conventions recently held have unanimously passed resolutions in favor of it. There is not a man in Alaska to-day, in my judgment, who is a bona fide resident of Alaska and who intends to stay there and live there, who is not in favor of Territorial government. If anyone here doubts what I say, let him go to Alaska and find out for himself.

I am in favor of the pending bill. It is a meritorious measure. It will soon be a law. I want to congratulate the chairman and the Committee on the Territories for bringing in this bill. I have gone over it carefully. Take it all in all, it is a good bill. I am the first man in Congress that ever introduced a bill to give Alaska a Territorial government. I introduced the bill 10 years ago at the request of a nonpartisan convention held by the people of Alaska. The presiding officer of that convention was Hon. A. P. Swineford, formerly governor of Alaska—a great man and a great Alaskan. He has gone to his reward, and he has gone into history as Alaska's "Grand Old Man." He was my friend and he helped me draw that first bill for Territorial government for Alaska. I am sorry that dear old Gov. Swineford is not living to-day to witness Alaska's triumph in Congress. It would gladden his heart more than anything that ever happened in his long and useful and illustrious career. I fought for that bill year after year. When Tom Cale came to Congress from Alaska I gave him the bill to introduce. When Judge WICKERSHAM succeeded Cale he took up the bill, and I want to commend the Judge for all he has done in this struggle for home rule for Alaska.

Mr. Chairman, just a few words in conclusion. I repeat now what I said at the beginning—Alaska is the wonderland of the world. No words can adequately describe it. It is the poor man's and the rich man's and the sportsman's paradise. Alaska is the natural art gallery of the earth. The time, in my judgment, is at hand when this vast territory will be developed by American genius, American capital, and American enterprise, and take my word for it, there will be no more prosperous section in all our progressive country for American brawn and American brain. Alaska is the place for the new settler—for the hustler—for the man who wants to go ahead and get on. Alaska wants her rights; she wants home rule; she demands Territorial government. Alaska wants this; Alaska must have it—Alaska with her increasing population of patriotic people; Alaska with her invigorating climate; Alaska with her beautiful scenery, her magnificent distances, her snow-capped mountains, her majestic rivers, her fertile fields, her great industries of fish and fur and timber; Alaska with her great agricultural possibilities; Alaska with her immense wealth in gold and copper and silver and lead and tin and iron and coal—mineral wealth beyond the dreams of the most imaginative person in the world; Alaska with her brave and loyal and God-fearing American citizens; Alaska with her churches and her schools, her splendid public institutions, her towns and her villages; Alaska under the wonders of the northern lights and in the shadow of the midnight sun; Alaska with her inspiring sights, her ancient glaciers, with her great harbors and innumerable lakes and countless cascades; Alaska, in the name of all these and more that I have not time now to enumerate, I ask in the name of justice why the Alaskans should not have the right of local self-government? [Long applause.]

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CULLOP having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. CURTIS, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 21821. An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa.

The message also announced that the Senate had agreed to the amendments of the House to the joint resolution of the

House of Representatives (H. J. Res. 254) entitled "Joint resolution congratulating the people of China on their assumption of the powers, duties, and responsibilities of self-government," with an amendment to Senate amendment No. 1.

#### LEGISLATURE OF ALASKA.

The committee resumed its session.

Mr. DRAPER. Mr. Chairman, I yield 30 minutes to the gentleman from Ohio [Mr. WILLIS].

Mr. WILLIS. Mr. Chairman, I had not expected to be called upon to address the committee at this time, but because of the lateness of the hour and because the Delegate from Alaska [Mr. WICKERSHAM] has a good deal of material which he could not possibly present in a short time, I have been asked to take the time now.

I have been very much interested in the eloquent words which have just fallen from the lips of the gentleman from New York [Mr. SULZER]. As was said by the gentleman from Michigan [Mr. WEDEMEYER] perhaps there is no Member of the House, aside from the Delegate from Alaska [Mr. WICKERSHAM], who knows more about Alaska than does the distinguished gentleman from New York. He told us something about the tremendous wealth of Alaska, and as a citizen of this Republic, I am just as proud of the immense resources of that great, undeveloped empire as any other citizen can possibly be. I am proud of the fact that in Alaska we have the greatest fisheries in the world. I am proud of the fact that in Alaska there are tremendous agricultural possibilities, as I shall hope to show before I finish. I am proud of the fact that there are tremendous resources in the way of minerals, particularly in the way of coal, though I think not so much coal as some would have us to believe.

The Bering River coal field is very important, though not nearly so extensive as it is supposed to be. The Matanuska coal field is much more important and more extensive. But may I remind you that if we are to change the form of Territorial government in Alaska, or, to be more accurate, if we are to give Alaska a Territorial legislature, it should not be because she has a tremendous amount of coal, not because of her immense mineral resources, not even because of her agricultural possibilities, nor because of her splendid mountain scenery, nor because of her tremendous resources in the way of timber—not for any of these material facts. These are not the things that make up a State. They are the broad foundations upon which a State may be builded, but if we are to give Alaska a Territorial legislature, it must be because it can be shown that there are living in that Territory people who are qualified for self-government to the extent it is proposed to grant it by this bill. I need to remind you only of a line or two of that old stanza of poetry—

What constitutes the State?  
Not high-raised battlement or labored mound, thick wall or moated gate.  
Not cities proud with spires and turrets crowned—  
Not bays and broad-armed ports, where laughing at the storm rich  
navies ride;  
Not starred and spangled courts, where low-browed baseness wafts  
perfume to pride.

Nay, not these; but men—

Men with powers as far above dull brutes endued in forest brake or den as beasts excel cold rocks and brambles rude.

These, then, constitute the State—not the wealth of forest, field, or mine; not the rich valleys, nor the teeming rivers, nor the snow-capped mountain peaks—not these, but rather the people that make up the community—these constitute the State.

Now, what is the kind and the character of the people living in Alaska?

To that phase of this question do I wish to address myself in the first instance. I want to say, Mr. Chairman, that while I have not had the opportunity to visit this great country of Alaska, as I mean to do, the information that I have has been obtained from a study of the documents and reports and from various other sources. From what information I have been able to gather I am convinced that there live in the Territory that we call Alaska a sufficient number of people with sufficient qualification to entitle them to elect a Territorial legislature. To be sure that I do not overstep the bounds of truth or propriety, I want to rely, so far as possible, upon official authorities. I have before me an address which was made by the Secretary of the Interior before the American Mining Congress at Chicago on October 27, 1911, and, among other very important things that the Secretary said, I find this statement:

At the very outset I wish to express the high opinion I have formed of the remarkably large and fine body of people who have become permanent residents of Alaska.

The Secretary of the Interior was fresh from an investigation of the conditions in that country. He speaks of these people not simply as transients, not simply as wandering miners, not simply as nomads, but he says that he is impressed—

by the remarkably large and fine body of people who have become permanent residents of Alaska. While there is unquestionably a considerable floating population of a character which does not add to the real strength or stability of the Territory, there is a substantial percentage of vigorous, law-abiding, law-respecting men and women of the highest type of American citizenship, and I found that they possessed what is perhaps the highest form of moral courage—the ability and the willingness to look at both sides of the questions which affect their interests, and to admit that they are wrong when once convinced that they have been led into a mistake of fact or of opinion. The total population is about 65,000, of which a little less than half are whites. They are entitled to a Territorial government better adapted to their peculiar local conditions and needs.

Mr. Chairman, I submit that statement then from the Secretary of the Interior as evidence that the population of Alaska is not nomadic; it is not shifting; it is not trifling; but it is a population made up of substantial citizens or permanent residents, and, in my judgment, a sufficiently large percentage to entitle the people of that country to a Territorial form of government.

Mr. WEDEMEYER. Mr. Chairman, will the gentleman permit an interruption?

Mr. WILLIS. Certainly.

Mr. WEDEMEYER. Is it not a fact that the white population of Alaska is a little more than one-half of the total; or in other words, 56 per cent instead of a little less than one-half?

Mr. WILLIS. That is absolutely true, and I thank the gentleman for the interruption. I will come to the question of population a little later. That is the next point I want to take up—the number of the people. If it could be shown that there are only a comparatively small number of substantial permanent residents, then for one I would be opposed to the granting of a Territorial legislature to Alaska. But I think it can be shown that there is a sufficient number of substantial citizens, and in that connection I invite attention, in the next place, to the hearings which were had before the Committee on Territories, on page 53, wherein is given a table, which I shall insert in the Record, showing the increase in population in the Territory of Alaska in the last five years:

Population of Alaska, 1909 and 1910.

Class.	1909	1910	Decrease.	Increase.
White.....	30,493	36,347	.....	5,854
Indian.....	29,536	25,331	4,205	.....
Negro.....	168	209	.....	41
Chinese.....	3,116	1,209	1,907	.....
Japanese.....	279	913	.....	634
All other.....	.....	347	.....	.....
Total.....	63,592	64,356	.....	.....

<sup>1</sup> Includes persons of mixed parentage—that is, of native Indian and Russian or other parentage—as follows: 1900, 2,499; 1910, 3,887 (36,347), 40,347 American citizens.

The gentleman from Michigan [Mr. WEDEMEYER] alluded to the fact—I think it was the gentleman from Michigan, or some one speaking on the bill alluded to the fact, and it is referred to not in the way of criticism at all, but simply as a fact—that when the census was taken 10 years ago from 5,000 to 6,000 people at Nome, or rather not at Nome but in the harbor at Nome on board ships were counted as permanent residents of Alaska. Well, now, the conditions that obtained when the last census was taken were such as to exclude anything of that kind. Consequently if we had the actual facts relative to the census of 1900 and 1910 it would be shown that there was a much larger increase in the white population than even this table shows. But this table shows that in 1900 the white population was 30,000 and in 1910 it was some 36,000, a total increase in the 10 years of 5,854. But it will be said that the total population of Alaska has not increased in the 10 years more than 764. But how does that come? That arises from the fact that the native population has decreased tremendously in the 10 years and also from the fact that the Chinese population has decreased in the 10 years. I want further to make this unquestioned and unquestionable statement of fact, namely, that the percentage of white population of substantial citizenship of the District of Alaska has increased at a fairly reasonable rate. So much, then, for the number. Now let us see about the location of these people. It is said that while there may be a great many there, the Territory is so great that they ought not to have a Territorial legislature, and in that connection I want to insert in the Record a table which I take from the third page of the committee's report.

The area and population of Alaska compared with other Territories.

Names of Territories.	Date of organization.	Population nearest census.			Area in square miles.	Density 1,000 square miles.
		Date.	Whites.	Total.		
Northwest of Ohio River.	July 13, 1787	.....	.....	(1)	236,000	18
Mississippi.....	Apr. 7, 1798	1800	4,446	7,600	92,474	82
Indiana.....	May 7, 1800	1800	.....	5,641	228,950	24
Michigan.....	Jan. 11, 1805	1810	4,618	4,762	135,955	35
Illinois.....	Mar. 1, 1809	1810	11,601	12,282	133,690	90
Missouri.....	June 12, 1820	1820	.....	66,557	881,608	77
Wisconsin.....	July 3, 1836	1840	.....	30,495	283,137	107
Oregon.....	Aug. 14, 1848	1850	.....	13,294	297,552	44
Minnesota.....	Mar. 3, 1849	1850	6,938	6,977	169,414	35
Utah.....	Sept. 9, 1850	1850	11,330	11,380	228,670	50
Washington.....	Mar. 2, 1853	1860	11,138	11,594	198,984	58
Dakota.....	Mar. 2, 1861	1870	.....	14,181	318,005	44
Montana.....	May 26, 1864	1870	18,306	20,695	146,089	140
Wyoming.....	July 28, 1893	1870	8,726	9,118	97,575	93
Alaska.....	1910	1910	.....	64,356	599,884	109

<sup>1</sup> Less than 5,000 population.

It appears by that table, among other things, that when the Territory of Mississippi was organized the total population was only something like 7,600—I give the even figures—and the population per thousand square miles was only 82. It appears that when Dakota was organized the total population was only some 14,000, or an average to the 1,000 square miles of 44. In other words—

Alaska now has a larger population than 14 Territories had when they were given the elective Territorial legislature and a larger population than 9 States when they were organized and given sovereign constitutional control over legislation within their borders.

The last statement I quote from the report of the committee. As a matter of fact, Mr. Chairman, if it be said that there is not a sufficient population in Alaska to warrant the organization of the Territorial legislature, let it be remembered that in the District of Alaska to-day there are more children in the public schools than there were citizens in the Territory of Mississippi when that Territory was organized; there are more children in the public schools of Alaska to-day than there were people in Indiana Territory when that Territory was organized; there are more children in the schools of Alaska to-day than there were citizens in Dakota when that Territory was organized.

In the face of facts like these it seems to me that it can hardly be said that there is not a sufficient civilized population to entitle the people to a Territorial legislature.

Mr. MANN. Will the gentleman yield?

Mr. WILLIS. Certainly, I yield.

Mr. MANN. Is the gentleman able to state to the committee the density of population in the Territory of Mississippi and the other Territories to which he has referred at the time they were organized as Territories, and the density of population in Alaska?

Mr. WILLIS. Yes, sir; I have that in the table. I will give that, but the gentleman will find it on page 3 of the committee's report.

Mr. MANN. It must be very brief.

Mr. WILLIS. Yes; I will read it. Mississippi had a density of population per 1,000 square miles of 82; for Indiana it was 24; for Dakota it was 44, and for Alaska it is 109.

Mr. MANN. Well, now, does the gentleman mean to say that there are more people to the square mile in Alaska, including the entire Territory of Alaska, than there were to the square mile in Mississippi when that Territory was organized as a Territory?

Mr. WILLIS. That is exactly what I mean to say.

Mr. MANN. What was the population of Mississippi when admitted?

Mr. WILLIS. The population of Mississippi was 7,000; in Indiana it was 5,641.

Mr. MANN. I had supposed that the area of Alaska was much greater in proportion than that would indicate.

Mr. WILLIS. The area given here for Mississippi is 92,000 square miles and Indiana 228,000 square miles.

Mr. J. M. C. SMITH. What is Alaska?

Mr. WILLIS. The density per 1,000 square miles is 109.

Mr. J. M. C. SMITH. What is the area?

Mr. WILLIS. Five hundred and ninety thousand square miles.

Mr. WEDEMEYER. Does not the confusion with regard to the population relative to area arise from the fact that many of the Territories had a much larger area than the States now, so named?

Mr. WILLIS. Undoubtedly so. For example, as suggested by my friend from Michigan, here is Missouri, which, when



it was organized, had an area of 861,000 square miles and a density of only 77 per 1,000 square miles.

Mr. MANN. Of course, it was the Territory to which I had reference. In computing the population of Alaska does the gentleman include both the white and the native population?

Mr. WILLIS. The gentleman is not able to answer that, because he took the table in the report. I do not know. I assume, however, if the total population were used in the one case, it was used also in the other. It should have been, as a matter of fairness, undoubtedly.

Mr. MANN. I am not speaking of a matter of fairness. It is simply a question of facts for comparison. I think the population in Alaska includes both, according to the census.

Mr. WICKERSHAM. It does. It included the number given by the census of that year. Whatever was included was the census of that year.

Mr. MANN. And did not include the natives?

Mr. WICKERSHAM. In some instances it did and in some it did not.

Mr. MANN. I know of no instance where it did, because the census expressly excluded the Indians.

Mr. WILLIS. The computation in that table could be very easily made.

Mr. MANN. As I understand the gentleman's statement, as a matter of fact, Alaska now with its present population is more densely inhabited than were these Territories, or a large number of the Territories, at the time they were organized?

Mr. WILLIS. That is the argument I am making.

Mr. MANN. Now, the area of Alaska is something over half a million square miles?

Mr. WILLIS. Five hundred and ninety thousand square miles.

Mr. MANN. Is the gentleman able to say what was the size of the largest Territory that was admitted in the United States?

Mr. WILLIS. Yes, sir. It was Missouri, with an area of 861,000 square miles, some 300,000 more than the present limits of Alaska.

Mr. MANN. It embraced how much, do you say?

Mr. WILLIS. Missouri took in 861,000 square miles, and Alaska takes in 590,000 square miles.

Mr. MANN. Of course, that was purely theoretical?

Mr. WILLIS. Part of Alaska is theoretical—way up in the northern part.

Mr. MANN. I think that is hardly a fair example.

Mr. WILLIS. It is the only one, I will say to the gentleman, that is larger than Alaska. I looked carefully to find another one.

Mr. MANN. Well, that was because they included everything west of the Mississippi River?

Mr. WILLIS. I will take the Northwest Territory, and the population of that at the time of its organization was below 5,000. The area was 260,000 square miles.

Mr. MANN. And that was populated at various points of the Territory—

Mr. WILLIS. The population was pretty well scattered in the Northwest Territory.

Mr. MANN. Of course the gentleman is now speaking of the time of the organization of the Territory. The Northwest Territory was not given a legislature at that time.

Mr. WILLIS. No; it was given a legislature in 1799—some time after the passage of the ordinance.

Mr. MANN. The Territory of Ohio was given a legislature; the Territory of Indiana was given a legislature, but they never embraced a large area.

Mr. WILLIS. I do not quite get the gentleman's point there.

Mr. MANN. When Indiana was organized as a Territory, if I recollect rightly, the legislative power was conferred in the first instance upon the judges.

Mr. WILLIS. Until they got 5,000 population.

Mr. MANN. Yes; and when it was organized with the legislature the area of the Territory was considerably diminished?

Mr. WILLIS. The gentleman is mistaken there, because if he will look into the history of the Northwest Territory more carefully he will see the Territorial legislature for the Northwest Territory—

Mr. MANN. There never was a Territorial legislature, as I understand, for the Northwest Territory.

Mr. WILLIS. Oh, the gentleman is mistaken about that. There was a Territorial legislature for the Northwest Territory, and it met in what is now the State of Ohio in the year 1799.

Mr. MANN. I do not dispute with the gentleman about that.

Mr. WILLIS. I think my friend is mistaken on the facts. The next year, 1800, a law was passed considerably diminishing the area of the Northwest Territory; in fact, running the pres-

ent boundary line between Ohio and Indiana up through the southern peninsula of Michigan, and all to the east of that line was Northwest Territory; but it is a matter of fact, which I think the gentleman from Illinois [Mr. MANN] will find to be true, that there was a Territorial legislature for the Northwest Territory organized in 1799, and I think he will find a pretty good account of it in Hinsdale's History. There were delegates present there from Kaskaskia and Vincennes and other places. There was a Territorial legislature organized in 1799; but we have drifted away from what I started out to say.

Mr. WICKERSHAM. Let me call the attention of the gentleman to Bulletin 126, issued by the Geological Survey, on the boundaries of the United States and of the several States and Territories, with an outline of the history of all important changes of territory. That bulletin has been issued by the Government, and contains all the items about which the gentleman from Ohio is talking now. All of the maps of these various Territories and the changes in the boundaries are given there.

Mr. MANN. I will say to the gentleman that there is a great deal of information included between the covers of a great many volumes. What we want to know is to know the information here and now.

Mr. WICKERSHAM. I think "the gentleman" is giving it to you.

Mr. MANN. He is, and I am much obliged to the gentleman for the reference.

Mr. WILLIS. Now, Mr. Chairman, let me take up the matter that we drifted away from. The gentleman from Illinois [Mr. MANN] very properly asked about the size of the other Territories when they were organized and given legislatures. Here are some figures. Here is Utah, which, when organized, had an area in square miles of 228,000, Oregon had 297,000, Dakota had 318,000, and then, on the following page of the committee report, is found the statement of the comparative areas of some of the British Provinces—I mean the Canadian Provinces of British North America—and inasmuch as they are situated somewhat similarly to Alaska, I think these facts might be of interest.

Area and population of Canadian Provinces

Provinces.	Area.	Population, 1901.
	<i>Sq. miles.</i>	
Alberta.....	253,540	72,841
British Columbia.....	357,000	178,631
Manitoba.....	73,732	255,211
New Brunswick.....	27,885	331,120
Nova Scotia.....	21,423	430,574
Ontario.....	260,862	2,182,947
Prince Edward Island.....	2,184	103,250
Quebec.....	351,873	1,648,893
Saskatchewan.....	250,650	91,490
Yukon Territory.....	207,076	27,219

The lieutenant governors of the several Provinces are appointed by the Federal Government for a term of five years. The legislatures are elected by the people of each Province.

For example, here is Alberta, with 253,000 square miles of area; and British Columbia, with an area of 357,000 square miles; and Saskatchewan, with an area of 250,000 square miles, and so on.

In other words, I think that a dispassionate examination of the facts will convince one that the area of Alaska is not disproportionately large when you consider the history and the facts accompanying the organization of territories heretofore in our history. That is the conclusion that I have reached.

Now, then, here is another thing: The gentleman from Illinois [Mr. MANN] very properly suggested, in speaking of the Northwest Territory, "But the population there was pretty generally scattered throughout the territory." That is an important thing to be considered. If it could be shown that substantially all the people of Alaska live in one place it would be a good argument against the organization of a Territorial legislature.

I invite the attention of members of the committee to the map here. A great many have the idea that the population of Alaska is largely confined to southeastern Alaska. This map shows clearly that such is not the case. This map shows the four judicial subdivisions. You might call them the four judicial districts into which Alaska is divided. You will observe that the population down here [indicating] in southeastern Alaska, the first judicial subdivision, is 15,200. Over here is the third subdivision, which is the largest now and which, in my judgment, is bound to be the largest hereafter, for the possibilities of development in this subdivision are vastly greater than elsewhere. Here the population is 20,000. Up here in the fourth subdivision the population is 16,000, and away up here

in this country [indicating], where it is supposed that nobody at all lives, we find a population of 12,000. Now, I submit that that indicates that the population is fairly distributed over the Territory—15,000 here, 20,000 here, 16,000 here, and 12,000 there. The same facts are more clearly shown by the following table, which is taken from the official report of the Bureau of the Census, 1910, and shows how nearly evenly the population is divided between the four judicial districts into which Congress has divided Alaska:

*Population of subdivisions of Alaska in 1910.*

RECORDER'S DISTRICT, 1910.

Alaska (the population of Alaska in 1900 was 63,592, and in 1890, 32,052; from 1900 to 1910 the increase was 764, or 1.2 per cent, and from 1890 to 1900 it was 31,540, or 98.4 per cent)..... 64,356

Juneau district..... 5,854  
Ketchikan district..... 3,520  
Sitka district..... 2,210  
Skagway district..... 1,980  
Wrangell district..... 1,052

First judicial district..... 15,216

Cape Nome district..... 3,924  
Counsell City district..... 686  
Fairhaven district..... 543  
Kougarok district..... 308  
Kuskokwim district (part of)..... 2,201  
Total for Kuskokwim district in judicial districts 2, 3, and 4..... 2,711  
Noatak-Kobuk district..... 2,262  
Port Clarence district..... 1,007  
St. Lawrence Island district..... 293  
St. Michael district (part of)..... 1,127  
Total for St. Michael district in judicial districts 2 and 4..... 2,255

Second judicial district..... 12,351

Aleutian Islands district..... 1,083  
Bristol Bay district..... 4,502  
Cook Inlet district..... 677  
Copper Center district..... 553  
Cordova district..... 1,779  
Iliamna district..... 271  
Kayak district..... 623  
Kenai district..... 1,602  
Kodiak district..... 2,448  
Kuskokwim district (part of)..... 19  
[For total, see judicial district 2.]  
Nabesna district..... 103  
Prince William Sound district..... 210  
Unga Peninsula district..... 1,303  
Valdez district..... 4,815

Third judicial district..... 20,078

Chandalar district..... 368  
Circle district..... 799  
Eagle district..... 543  
Fairbanks district..... 7,675  
Fort Gibbon district..... 858  
Fortymile district..... 341  
Hot Springs district..... 372  
Kantishna district..... 68  
Koyukuk district..... 455  
Kuskokwim district (part of)..... 491  
[For total, see judicial district 2.]  
Mount McKinley district..... 232  
Nulato district..... 785  
Ophir district..... 562  
Otter district..... 1,234  
Rampart district..... 370  
St. Michael district (part of)..... 1,128  
[For total, see judicial district 2.]

Fourth judicial district..... 10,711

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Illinois?

Mr. WILLIS. Certainly.

Mr. MANN. Will the gentleman give us, in that connection, the native population and the white population in the different districts?

Mr. WILLIS. I could not give that just at this moment. It would be suggestive and interesting information. Perhaps the Delegate could give that. I wonder if that could be obtained.

Mr. WICKERSHAM. I do not know about that.

Mr. WILLIS. I should like to have it.

Mr. BOWMAN. I figured out that the white population was 61 to each thousand square miles, taking the entire area.

Mr. MANN. I take it that the population in the extreme northwestern division is mainly native.

Mr. WILLIS. That takes in the Nome district?

Mr. MANN. Yes.

Mr. WILLIS. I do not think the committee in its investigations got any facts before it to show the proportion of native and white population in the four subdivisions.

Mr. FLOOD of Virginia. No, it did not.

Mr. WILLIS. It would be interesting to obtain that information.

Mr. MOORE of Pennsylvania. Did the gentleman state the population per square mile in Alaska?

Mr. WILLIS. I stated it per thousand square miles. It is 109 per thousand square miles.

Mr. MOORE of Pennsylvania. The gentleman does not have the figures per square mile?

Mr. WILLIS. It is a simple matter of arithmetic to compute that. It is 109 per thousand square miles.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WEDEMEYER. I yield to the gentleman 20 minutes more time.

Mr. MOORE of Pennsylvania. Has the gentleman the figures showing the population per square mile for the whole United States?

Mr. WILLIS. No; I have not that.

Mr. MOORE of Pennsylvania. It is about 33 per square mile, is it not, at the present time?

Mr. WILLIS. I do not know. I have not computed that. I do not want the gentleman to get the wrong idea, however, from this statement I have made about the population of Alaska being 109 per thousand square miles. The figures I gave as to the other Territories when they were admitted was per thousand square miles, and they show that the relative density of population in Alaska is greater than that of any other Territory appearing on the list, with the single exception of Montana, which at the time it was admitted had a population of 140 per thousand square miles.

The figures for each of these districts in Alaska show that the population is fairly well distributed through the Territory.

Now, there is another way to find out whether this population is distributed throughout the four subdivisions. That is to see the amount of business that is transacted in each subdivision.

In this connection I refer to the report of the governor of Alaska, at page 45. This is in answer to the question of the gentleman from Illinois [Mr. MANN], I think. As I explained a moment ago, this map shows the population in the different sections. Now I cite here the report made by the governor of Alaska for the past year, which, at page 45, contains a statement of the amount of business transacted:

*Comparative statement showing value of the merchandise shipped from the United States to the different divisions of Alaska.*

Divisions.	1905	1907	1908	1909	1910
Southeastern Alaska.	\$4,451,203	\$4,848,400	\$4,722,144	\$4,719,664	\$5,357,697
Southern Alaska.....	3,205,913	4,566,920	3,731,914	5,554,156	4,659,595
Bering Sea, etc.....	6,051,185	4,293,943	3,317,571	4,040,375	4,272,053
St. Michael and Yukon River.....	4,659,844	3,564,591	3,294,689	4,609,092	3,627,735
Total.....	18,368,145	17,273,944	15,066,318	18,923,887	17,917,083

This is a comparative statement showing the value of the merchandise shipped from the United States to the different divisions of Alaska. Of course, in a matter of this kind you can not hope for mathematical accuracy, but I submit that if it can be shown that year after year substantially the same amount of merchandise, of substantially the same character, is shipped to these various subdivisions it would indicate that there is a fair distribution of population.

I find that in the year 1910 the amount of merchandise shipped from the United States to southeastern Alaska, subdivision 1, was \$5,300,000 worth. Please remember these figures so you can compare them. Into the third subdivision the amount shipped was \$4,600,000, substantially the same. Into the second subdivision it was \$4,200,000, and into the northernmost subdivision it was \$3,600,000. In other words, this shows, approximately, not only that there are substantially the same number of people in each of these different subdivisions, but there is substantially the same amount of business transacted. That would not prove conclusively, of course, but would indicate that they are substantially the same kind of people. The point I want to make is that when you think of Alaska you are not to think of a great group of savages in one section and a few white people settled in a small area in another. The population is fairly well distributed over the Territory.

Now, I want to take up another matter, viz, the kind of schools they have. If you can show me a District, a Territory, or a State where they have good schools, good school buildings, where there is an active educational sentiment, where the children are attending the schools, that indicates that in that District or Territory or State a pretty high standard of citizenship and civilization obtains. Now, that is the case in Alaska. They have their schools; they have their churches, and those schools and churches are well attended.



Then last, but not least, they have their newspapers, and that surely ought to satisfy any man who is inclined to be a doubting Thomas that they are civilized up there.

I took the pains to hunt up, in the report of the governor, the number of newspapers. It was stated by the gentleman from Alaska as 25. I have them here, with their names, and I think he counted them correctly. I notice that there are two or three daily papers in the list, and the rest of them are weekly, spelled w-e-e-k, and not w-e-a-k. I have read a number of these newspapers, and they are well gotten up, well edited, full of spirit, and come from all sections of the Territory. To prove that, here is the Cordova Alaskan, the Alaska Citizen up here at Fairbanks in subdivision 4, the Haines Pioneer Press way down here, and the Wrangell Sentinel in the southern section, and the Nome Daily Nugget in the northwest. These papers, or nearly all of them, I have personally examined, and they are scattered all over the Territory. All these things tend to show that this population is progressive, up-to-date, and fairly well distributed over this whole Territory.

I have already shown that the population per square mile is greater than it was in the organization of any other Territory I have mentioned, with the single exception of Montana. If I have been able to show that, and that the population is well distributed, it seems to me that I have made out a prima facie case for the organization of a legislature in that Territory.

The gentleman from Kansas [Mr. CAMPBELL] asked a question of the gentleman from Virginia [Mr. Flood]. He wanted to know about the towns. I have a table showing the important towns and population, when organized, and all about them. I will insert it in the Record.

*Date of settlement of towns in Alaska and their population.*

Towns.	Date settled.	Population.
Unalaska.....	1804	400
Sitka.....	1804	400
Kodiak.....	1804	400
St. Michaels.....	1840	400
Wrangell.....	1850	500
Juneau.....	1884	1,044
Douglas.....	1890	2,944
Skagway.....	1898	1,200
Ketchikan.....	1898	1,613
Haines.....	1898	400
Valdez.....	1898	1,500
Eagle.....	1898	500
Nome.....	1898	2,000
Rampart.....	1898	400
Petersburg.....	1900	400
Seward.....	1900	500
Fairbanks.....	1902	3,500
Chena.....	1902	400
Ellamar.....	1902	500
Fort Gibbon.....	1902	400
Cordova.....	1903	1,152
		21,753

<sup>1</sup> Including Treadwell.

So I think I have shown, Mr. Chairman, that we have in Alaska a population sufficiently great, sufficiently intelligent, sufficiently patriotic, sufficiently active in business, sufficiently distributed, to entitle that District to a Territorial legislature.

Now, there is another thing. I did not mean to put aside with a wave of the hand the discussion of the topic of the wealth of Alaska. That is an important consideration and is the foundation upon which a civilization will have to be built, if it is built. I call attention to the report of the governor of Alaska, page 44. I find there a statement which I shall ask permission to put in the Record, but will only read a part of it, showing something of the tremendous productive power of the Territory for the past year:

*Value of domestic merchandise and gold and silver shipped from Alaska to the United States.*

Articles.	1903	1903	1910
Copper ore and matte.....	\$502,448	\$205,551	\$230,737
Fish:			
All other dried, smoked, or cured.....	400,706	458,795	440,015
Salmon, canned.....	9,282,952	10,424,811	10,418,503
Salmon, all other, fresh or cured.....	438,367	466,722	487,301
Fish guano.....	42,177	51,212	54,377
Fish and whale oil.....	92,589	141,522	185,284
Furs.....	488,728	758,160	468,223
Gypsum.....	84,025	114,565	151,590
Murble.....	50,256	45,982	17,786
Tin ore and concentrates.....	7,067	8,200	6,750
Whalebone.....	191,062	140,770	113,772
Other merchandise.....	674,873	590,800	1,116,612
Gold and silver.....	18,044,533	18,278,962	15,195,954
Total.....	30,299,788	31,686,112	28,886,909

*Gold and silver shipped to the United States, by districts, 1910.*

Fairbanks and Tanana Valley.....	\$6,332,774
Nome and Seward Peninsula.....	3,609,674
Southeastern Alaska.....	3,262,083
Valdez and Copper River.....	317,872
Iditarod.....	476,336
Various.....	1,106,215
Total.....	15,195,954

Alaska sent to this country \$230,000 worth of copper; canned salmon, \$10,000,000; fish guano, \$54,000; salmon and all other fresh or cured fish, \$487,000; gold and silver, \$15,000,000; making a total for the year of \$28,000,000.

Now, Mr. Chairman, not only that, there are tremendous resources in Alaska absolutely untouched. Under the policy we have had heretofore it is not feasible, it is not sensible, to tie up absolutely the resources of Alaska so that we have a situation whereby, with an abundance of coal cropping out of the mountains almost in sight, the people of Alaska have had to buy coal not simply from British Columbia, but from Wales. Within the past year thousands of tons of coal have been shipped away around the Horn from the coal mines of Wales and sold up yonder in Alaska, where you have one of the greatest coal fields in the world. That is a condition that can not remain permanently.

Mr. CANNON. But are we not keeping it for posterity?

Mr. WILLIS. That is a question I should not like to go into at this time with my friend from Illinois [Mr. CANNON].

In other words, Alaska has tremendous wealth, and while it is undeveloped as yet in large part, there is a tremendous amount of wealth flowing from that district to the United States. As I have indicated, an annual trade of \$55,000,000—equal to that of Hawaii or of Porto Rico; vastly greater than our trade with the Philippines or with China. All this money comes into the United States. The point I am making is that Alaska has not only a business future, but a business present. There is now a tremendous amount of trade carried on. That is from the report of the Government. Then let us take the hearings of the committee. At page 42 of those hearings I find some other information to which I wish to call attention, indicating the wealth of that country, not taking time to read all of the table:

*Growth of Alaska's output of gold and fish.*

Years.	Gold output.	Fish output.	Total.
1900.....	\$8,166,000	\$6,219,887	\$14,385,887
1901.....	6,932,709	6,926,167	13,858,867
1902.....	8,283,400	8,667,673	16,951,073
1903.....	8,683,600	10,289,635	18,973,235
1904.....	9,160,000	7,735,782	16,895,782
1905.....	15,630,000	6,563,655	22,193,655
1906.....	22,036,794	9,071,090	31,107,884
1907.....	19,349,743	10,169,183	29,509,926
1908.....	19,100,000	11,181,388	30,281,388
1909.....	19,778,962	11,847,443	30,947,443
Total.....	137,121,190	88,662,903	225,784,103

I merely call attention to this fact, that in the year 1909 the gold output coming into this country from Alaska was \$19,000,000 and the fish output \$11,000,000, and in the 10 years from 1900 to 1909 the total gold output was \$137,000,000 and the total fish output \$88,000,000, a total of \$225,000,000 for 10 years. In other words, this is not a desert up there; it is not a country with a few miners wandering about over it and a few gamblers, but this is a country that is contributing now tremendously to the commerce of this country, a country that is peopled with a substantial business people. Again, on page 47 of the hearings is another statement that I wish to insert, showing the comparative resources of the country and the value of the commerce of Alaska as compared with Porto Rico and Hawaii:

A comparison of the per capita trade value of Alaska's population with that of Hawaii, Porto Rico, and the Philippine Islands is an instructive one.

*Trade value per capita.*

Territories.	Total trade 1909.	Population.	Per capita value.
Alaska.....	\$52,109,999	40,000	\$1,302.75
Do.....	52,109,999	65,000	801.69
Hawaii.....	66,529,466	218,000	277.65
Porto Rico.....	52,152,220	1,075,000	48.51
Philippines.....	27,335,857	8,282,000	3.30

<sup>1</sup> Whites.

<sup>2</sup> Total.

The trade value of Alaska's population is based upon an estimated total population of 65,000 and an estimated total white population of 40,000. Upon that estimate each white man, woman, and child in Alaska is worth, in trade value, \$1,302.75; but when all the Indians and Eskimos, men, women, and children, are added it lowers the per

capita value to \$801.69. A white man in Alaska is worth 4.6 Hawaiians, 27 Porto Ricans, or 394 Filipinos in trade value. Add to that the value which comes from a permanent and growing trade in Alaska and you have a fair view of the comparative value of Alaska's trade to the United States. Why not help them develop it?

The per capita value of the Alaskan citizen, counting all of them now, not simply the white citizens, but all of them, is \$801 in trade; of Hawaii, \$277; Porto Rico, \$48; and the Philippines, \$3.30. I am not making these statements with the idea of making any invidious comparison as related to these other dependencies or Territories, but to prove that Alaska commercially is of tremendous importance and worthy of our most careful consideration.

I wish I had time, but I have not, to go into the coal question in Alaska. I differ with some in that respect. I do not think there is the vast amount of coal in Alaska that a great many people seem to think there is. I have examined pretty carefully the report here of the Geological Survey—the Geology and Coal Fields of the Lower Matanuska Valley. I have read a good deal of that, and also a document issued by the Bureau of Mines entitled "The Alaskan Coal Problem," by Secretary Fisher.

I do not think there is such a tremendous amount of coal there. As I indicated in my remarks earlier there are valuable coal fields, and I shall point them out on the map. The Bering River coal field is right here, and that is probably 50 square miles in extent, and then farther north is the Matanuska Valley, the Matanuska coal field, some 74 square miles in extent. Scattered about here there are various areas of lignite, and all that sort of thing, but those are the two important coal fields of Alaska.

Mr. FITZGERALD. How much coal is there?

Mr. WILLIS. All I know is the number of square miles—50 in one and 74 in the other.

Mr. FITZGERALD. How many tons?

Mr. WILLIS. Oh, I have not gone into that, and I do not think anybody knows.

Mr. FITZGERALD. A very considerable amount?

Mr. WILLIS. Oh, yes; undoubtedly so; a very considerable amount.

Mr. RAKER. Is that all in public ownership yet?

Mr. WILLIS. Yes; substantially all. My understanding is that some of the Bering River coal fields were mixed up with the famous Cunningham claims, and probably he knows as much about that as I do, and perhaps more; but there is enough coal there, Mr. Chairman, to warrant us in saying that there is an immense business future for Alaska. If we can get a few of these questions settled, if we can give to the people a stable and substantial government, I think the future for Alaska is bright and radiant and rosy.

Mr. LAFFERTY. Has the title to any of these coal fields passed into private ownership?

Mr. WILLIS. The gentleman from California just asked that question.

Mr. WICKERSHAM. No; it has not.

Mr. WILLIS. I know it has not in the Matanuska field.

Mr. WICKERSHAM. Not one foot.

Mr. LAFFERTY. Would it be a proper subject of legislation for the gentleman's committee to report at this session, providing for the proper disposition of these coal fields or their operation by the Government?

Mr. WILLIS. I will say that the committee now has under consideration, and I think perhaps has already reported favorably, a mining bill that will help some.

Mr. WICKERSHAM. And the coal matter, I think, is before the Committee on Public Lands.

Mr. WILLIS. And properly so.

Mr. LAFFERTY. That information is very gratifying to the people of the West.

Mr. WILLIS. Now, there is another item—

Mr. WEDEMEYER. Will the gentleman yield.

Mr. WILLIS. If the gentleman will yield me more time.

Mr. WEDEMEYER. I will yield the gentleman 10 minutes additional.

Mr. WILLIS. I may not need it.

Mr. WEDEMEYER. Would the gentleman from Ohio permit me to interpolate here in answer to the question of the gentleman from Oregon something that may be of interest. This is from the proceedings of the fourteenth annual convention of the American Mining Congress and from an address delivered by Mr. George E. Baldwin, of Valdez, Alaska, in which he makes this statement. I know nothing about it in detail except I was struck by the statement and perhaps it will answer the question of the gentleman. Mr. Baldwin, in this paper read before the American Mining Congress, says:

Less than two-hundredths of 1 per cent of the land of Alaska is in private ownership, more than ninety-nine and ninety-eight one-hundredths are still in the public domain, and I ask you, in all candor, etc.

Mr. WILLIS. I thank my friend from Michigan. Now, Mr. Chairman, I want to call attention to something upon which but little has been said and that is the agricultural possibilities and probabilities, and, may I say, certainties of this country, and I am not talking up in the air now. I will quote from the report of the governor of Alaska, beginning at page 14:

#### AGRICULTURE.

There has been so much discussion in very recent years about what has been termed the "possibilities of agriculture" in Alaska that a brief statement of the several phases of this discussion may be useful. The possibilities of agriculture were admitted by only a few persons—even of those familiar with local conditions—10 or 12 years ago. There were many who disbelieved then who have themselves recently demonstrated the feasibility of raising garden crops and even some of the grains. As early as 1906 gardening had become common throughout the Territory, even in some of the settlements north of the Arctic Circle. At present no doubt is expressed by anybody in Alaska as to the "possibilities of agriculture," and the local pride of residents everywhere in their gardens and small farms is one of the significant facts impressed upon the minds of visitors from the States. The general discussion of the subject at this time has narrowed down to the question, not of the adaptability of climate and soil, as was formerly the case, but of the extent to which farming may be profitably carried on, interior transportation and markets being considered. The feasibility of raising wheat, except in a small experimental way, is still a matter of doubt, but the successful raising of barley, oats, hay, vegetables, and live stock has been well demonstrated. The greatest question now is that of markets to make farming profitable for settlers, and among those persons who are familiar with conditions in the Territory this is almost the only question left.

It is not generally expected that Alaska will become for many generations, if indeed ever, a great agricultural export region, or that it will hold out any inducement to the kind of farmers who have made farming a great and profitable business in such regions as the Ohio and Mississippi Valleys and the Prairie States. With the expansion of the lode-mining industry and other activities more stable than placer mining, and with the establishment of improved means of transportation, the Territory will invite a hardy class of settlers such as have tilled the soil of northern Europe successfully for centuries. The railroads and wagon roads are too few and inextensive and most of the towns too small and isolated to invite agriculturists, whose success depends vitally upon transportation and markets.

In places where these prime conditions are not conspicuously lacking, and in the near vicinity of the larger towns, market gardening is being carried on now with much success. All the vegetables which are commonly raised in New England and in the Middle States thrive in Alaska, even in the coast region.

The local markets have already felt the effect of domestic production, as is well known in some of the principal towns. The shipments of potatoes from the States to Alaska in the fiscal year 1911 were smaller by 25,149 bushels than in 1910; of hay, by 2,155 tons; of beans and peas, by 7,322 bushels; and of onions, by 961 bushels. The decrease in these shipments was certainly due in large measure to the increased domestic production. The imports of some of these articles were also smaller in 1910 than in 1909.

At Fairbanks, which is in the same latitude as middle Norway, an agricultural fair was held last month, exhibits being made of a great variety of native farm products, including ripe grain, both thrashed and in sheaf. Prizes were awarded for the best specimens of grain, vegetables, cattle, and poultry. The exhibition, which was arranged on a large scale, was a highly creditable one. Some of the products from this fair, with others gathered elsewhere, are to be exhibited in New York at the American Land and Irrigation Exposition next month, and probably under similar auspices at St. Paul, Minn., in December.

The experimental work of the Department of Agriculture in Alaska has been carried on with success during the year. There is no longer any occasion for pursuing experiments in general agriculture or gardening in southeastern Alaska. The continuance of experiments with wheat and other grains in the interior of the Territory is a matter of great economic importance, in order, first, that the question of developing a strain of wheat of strong stalk which will surely mature in the short season may be settled once for all; and, second, that the best varieties of barley and oats may be determined. No further experiments with garden vegetables are necessary, for it is amply demonstrated that there are no finer vegetables anywhere than are grown here. One experimental station may profitably continue its work in developing the best varieties of berries, although the success of such experiments can not be a question in regions where strawberries, raspberries, currants, and cranberries are indigenous and grow wild in great profusion. Efforts should be directed largely toward the demonstration of grain-raising possibilities in the interior valleys in several widely separated localities and in experiments with live stock in other places than in a single locality on the coast.

#### GRAZING AND LIVE STOCK.

The luxuriant growth of grasses in the great territory surrounding Cook Inlet, as well as in other favored regions where the winter climate is comparatively mild, induces the belief that stock raising will eventually become a profitable industry. Although products of the soil may never enter into the export trade of Alaska to any considerable extent, the same is not to be said of beef and mutton. The grazing areas are of large extent, and in several localities cattle and even horses, having been left at the end of the working season to shift for themselves, have survived the winter without artificial shelter. Grasses and all the other forms of plant life common to the northern temperate zone grow with great rapidity in Alaska. In the interior valleys, in the vicinity of former mining or construction camps, are commonly seen scattered patches of timothy, which sprung years ago from the seed of hay brought from the States for horse feed, the roots of which have never been winterkilled. White clover grows wild everywhere in the Territory south of the Arctic Circle.

With stock raising as with agriculture in Alaska, the question is not one of adaptability, but simply of the time when the land shall be needed and markets made available.

He goes on to say further that the experiment station does not need to be continued in order to determine the question of whether it is possible to raise these great standard crops of barley, oats, and potatoes, and to raise them successfully, even so far up as the Fairbanks country. In the committee room I saw a picture of the gentleman from Alaska, and right fair



was he to look upon, as he showed in his garden a fine crop of potatoes and flowers. Up in that country they have all the accompaniments of agricultural prosperity.

Mr. CANNON. Will the gentleman allow me?

Mr. WILLIS. Certainly.

Mr. CANNON. I was at that experiment station in Sitka the year of the Portland Exposition. I went around and saw the house in which the superintendent lived, and I went over and saw the farm, or the alleged farm. Now, I am not prepared to dispute they have made some experiments, but I would not give one acre of Missouri soil for production or half an acre of Illinois soil for everything I saw on that experiment farm.

Mr. WICKERSHAM. I will say that is true on the coast, but in the great interior, in this immense portion which the gentleman sees here on the map, it is quite different.

Mr. CANNON. The gentleman may be correct, and I hope he is.

Mr. WILLIS. I want to call the attention of the gentleman from Illinois to the fact that the best agricultural land is not down in here [indicating on map] at all, but up here in this country, the Tanana Valley, and that is where the great possibilities of agriculture are. It seems to me pretty well established that Alaska has a great future agriculturally. Secretary Fisher says of it:

I found Alaska a country of wonderful scenic beauty, which in itself will in future years be one of its greatest financial assets. From all the information I could gather, I believe it to be a country of great mineral and agricultural possibilities; indeed, I should go further and say a country of great mineral and agricultural probabilities, needing development, ready for development, and inviting development, but held back chiefly by inadequate transportation facilities and inadequate laws.

I shall insert in the RECORD, with the permission of the gentleman from Alaska, some of his private correspondence, a letter that he has from Mr. William Young stating what sort of a time he has had with his farm products the past year. It is a typical farmer's letter, telling what he raised, how successful he was with his different crops, and to me it is tremendously interesting. He goes on to tell how much cabbage he raised and how many beets and how many hogs, and all that sort of thing. I shall insert that in the RECORD, with the permission of the committee:

[Letter of Mr. William Young, of Fairbanks, Alaska, showing the agricultural possibilities of the Tanana Valley of Alaska.]

FAIRBANKS, ALASKA, November 8, 1909.

Hon. JAMES WICKERSHAM,

Delegate to Congress, Fairbanks, Alaska.

MY DEAR JUDGE: In answer to your suggestion that I write you a letter about my farming operations, I take pleasure in doing so. When you and Mr. Joslin and Mr. Birch and Mr. White were at my place last fall I had not begun to take in my crops, but since then I have done so. I had 3 acres of potatoes, and they yielded me 18 tons, and the market price was \$120 per ton, for which I sold most of them. I had 1 acre of beets, on which I had a crop of 8 tons; 2 acres of carrots, which yielded me 7½ tons, with a market price of \$140 per ton; 1 acre of turnips, from which I gathered 200 sacks of 80 pounds to the sack, or 8 tons, at \$80 per ton. I had 2½ acres of rutabagas upon one-fourth of an acre of ground, for which the market price was \$100 per ton. I had 1 ton of red beets on one-quarter of an acre of ground, at \$140 per ton. I had 15 acres of barley, which I cut and sold for hay. I had 3½ tons, which I sold for \$75 per ton, and still have enough left to fill my barn chuck full for my own use for the winter. I raised 2 tons of cabbages, which I put away for the winter, besides which I sold between 3½ and 4 tons during the summer at an average selling price of \$140 per ton.

I raised 29 sucking pigs, also 13 pigs which weighed about 100 pounds each, and 23 big hogs. I sold 5 of my hogs to the butcher for \$60 each. This fall I put in 6 acres of winter wheat, Bluestem, which I sowed the second week in August, and before the snow came in October the wheat was up 2 or 3 inches high, and I never saw a better stand of wheat anywhere. I have raised good winter wheat, barley, and oats, and all kinds of garden vegetables, and in my judgment, as a farmer of more than 30 years' experience, the Tanana Valley is a first-class agricultural country.

My farm is near the river and is perfectly level. The soil is a sandy loam and is very rich, made up of sediment and silt and sand brought down by the river in ages gone by. The Tanana Valley opposite my farm is 60 miles wide, and there are probably 5,000,000 acres of as good ground as mine in this vicinity. I know from six years' experience on this farm that farming can be made entirely successful, and that this valley can be made to produce everything which can be raised in Minnesota and the Dakotas, and that there is no valley in the North so wide and rich and variable for agricultural purposes as the Tanana Valley.

I have several neighbors immediately around the town of Fairbanks who are engaged in successful farming, and we have in the last year raised almost enough to supply the local market, and there is no question hereafter that the whole local market in the Tanana mines can be supplied from our farms and gardens.

Respectfully,

WM. YOUNG.

The gentleman from New York [Mr. SULZER] pointed out that down here about Cook Inlet it is entirely possible, and not a mere matter of possibility, but a fact, that live stock can graze out of doors the year around without one single penny being expended for shelter or food.

We think of Alaska as a great country of glaciers. It is a country of tremendous possibilities and probabilities. Now, in the minute or two that I have I want to say that to me, after all, these things that I have spoken of are only an incident. I believe that the future theater of the world's activity is to be the

Pacific. I am tremendously proud of the fact that this great Republic of ours occupies the position of advantage. We are going to finish the Panama Canal, and finish it on time. Just let me say in passing, that when we get the Panama Canal finished we will have enough extra railroad iron and enough locomotives and flat cars to build a railroad from Resurrection Bay to Fairbanks, and, in my judgment, we ought to do it. But that is neither here nor there. Hawaii is already a part of our country. It does not show on this map, but it is the most important position of strategy in the whole Pacific. We have the western coast of the mainland of the United States. Whatever shall be the future of the Philippines, I presume there is not anybody so unpatriotic as to suppose that the Philippines could ever be given up for any purpose without reserving to this Republic an important coaling station there.

And then it seems to me that I can see in the near future the great populations of the earth circling as they are about the Pacific, there the millions of the Japanese and the Chinese and here the teeming millions of our own West, ourselves controlling the Panama Canal, and these points here [indicating], Resurrection Bay or Valdez, the best harbors in the world, and almost on the direct line of transit between Seattle and Japan, on the great circle route. It seems to me, gentlemen, it is of tremendous importance that we shall do something for Alaska; that we shall make it possible for this Territory to develop. I look to see the time when the population of Alaska will not be 60,000, but will be 600,000 [applause] and perhaps 6,000,000. And I say to you, gentlemen, that the best way to make possible the development of this magnificent and almost untouched empire is to pass this bill.

And another thing that ought not to be forgotten that will come with the increase of the power of this Republic on the Pacific is its mighty influence for peace; this Government has its hands raised not to strike, but in benediction. The greatest power on this earth for peace is the United States of America. [Applause.]

For I dipt into the future, far as human eye could see,  
Saw the vision of the world and all the wonder that would be;

Saw the heavens fill with commerce, argosies of magic sails,  
Pilots of the purple twilight, dropping down with costly bales;

Heard the heavens fill with shouting, and there rained a ghastly dew  
From the nations' airy navies grappling in the central blue;

Far along the world-wide whisper of the south wind rushing warm,  
With the standards of the people's plunging thro' the thunderstorm;

Till the war drum throb'd no longer and the battle flags were furled,  
In the parliament of man, the federation of the world.

The best thing to do to make that possible is to develop Alaska, and the best way to develop Alaska is to pass this bill. [Loud applause.]

Mr. FLOOD of Virginia. Mr. Chairman, I yield to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Chairman, during my six years of service in this body I have sought and taken advantage of every opportunity to use both my voice and vote in support of legislation that would promote and advance the interests of the American farmer. Believing, as I do, that the prosperity of the country depends almost entirely upon the success of the farmer, I have felt it my duty to support all legislation that would tend to build up and make more profitable the business in which he is engaged.

Mr. Chairman, I am here representing a large agricultural district, whose farmers are intelligent, industrious, progressive, and successful. We know out in Indiana that their success means the success of the merchant, the manufacturer, the banker, the lawyer, the doctor, the laborer, and the mechanic. While I am not a farmer myself, all the business I have depends upon the farmer, and if his business is not profitable, my business is likewise unprofitable. The fact is, agriculture is the foundation of all prosperity. It has built up and maintained our great manufacturing industries. It has made possible our beautiful and opulent cities bound together with bands of steel. It has furnished the wealth that has opened up and beautified, no matter how obscure, every hole and corner of this vast universe. You may burn down and destroy our splendid cities, and the wealth of the farm will rebuild them more beautiful than before; but destroy our farms and our cities will decay and our people will starve.

Mr. Chairman, appreciating these facts as I do, I have stood upon this floor during the past six years advocating measures that in my judgment would tend to make better the conditions of the men who live upon the farm, and by whose toil our entire population is fed, and upon whose welfare and prosperity the country depends. I have been pleased to watch the growth of the Agricultural Department here in Washington. No department of this Government has done so much of genuine benefit to the country as a whole as has this department. While

I have voted for and favored the strictest economy in the administration of governmental affairs, I have never yet, and will never, vote to lower the appropriations for agricultural purposes. Each year since I became a Member I have helped to increase the appropriations for the use of the Department of Agriculture in order that its efficiency may be improved and its power for good increased.

Now, Mr. Chairman, I am going to ask this House to go further in its effort to further the interests of the American farmer by passing House bill No. 22871, a bill providing for the establishment of agricultural-extension departments in connection with agricultural colleges in the several States, which bill has been favorably reported by the Committee on Agriculture, and if enacted into law will, in my judgment, be of inestimable value to the agriculturists of the country. It is stated in the very able report of the committee that the object of the bill is to establish agricultural-extension departments under the direction of the land-grant colleges of the several States to aid in carrying to the people useful and practical information on subjects relating to agriculture and home economies through field instruction, demonstrations, publications, and otherwise.

The Federal Government has committed itself emphatically and irrevocably to the policy of appropriating money to aid in the encouragement, development, and preservation of agriculture, both in the maintenance of its most efficient Department of Agriculture, and through a series of legislative enactments endowing agricultural colleges and establishing agricultural experiment stations in the several States. Thus agriculture has been recognized as of supreme importance to the Nation, and is so recognized by every thoughtful student of present economic conditions.

Liberal as we have been toward our agriculture, the fact remains that this Government expends less money for its encouragement and development, in proportion to its population and the extent of its agricultural area, than any nation of Europe, with the possible exception of Spain. It was recently pointed out in a reliable farm journal that less than 1 per cent of the annual total appropriations of the Government is expended for the purpose of aiding agriculture—a most significant statement when agriculture is unquestionably the basic industry upon which is built every other industry and upon which is depended the real prosperity of the Nation.

The enactment of the first Morrill Act—

for the endowment, support, and maintenance of at least one college where the leading object shall be " \* \* \* to teach such branches of learning as are related to agriculture and the mechanic arts—

was epochal, being the first serious national effort to aid agriculture in a practical way. As a result of this encouragement and Federal recognition, every State has a well-equipped agricultural and mechanical college training its young men to solve agricultural and industrial problems.

It was soon discovered that their peculiar difficulty lay in lack of sufficient, definite, and exact scientific information. Realization of this insufficiency became so manifest and so insistent that the Hatch Act, establishing agricultural experiment stations, "to promote scientific investigation and experiment respecting the principles and applications of agricultural science," was enacted 25 years after the land-grant colleges were authorized. Under this act agricultural experiment stations, devoting their energies to gathering scientific truths and exploding harmful fallacies touching agriculture, have been established in each of the States.

When it is remembered that only a very small per cent of the people can enjoy the benefits of these institutions, it is evident that the system of Federal aid to agriculture is yet incomplete. "The colleges deal with ideas; the stations with facts. The colleges teach theories of agriculture; the stations prove good theories and disprove bad ones." The stations gather facts of practical and scientific nature; the colleges disseminate these facts, but only to limited numbers in proportion to the total rural population.

The committee believes that this bill is the next logical, necessary step to give this country the most comprehensive system of governmental aid to agriculture in the world. The central idea of the bill is to bring the farmer, upon the farm, this information, these scientific truths, and these better methods of agriculture which the colleges and stations have been and are gathering. Past legislation has resulted in the accumulation of valuable agricultural information; this bill proposes to disseminate it in the most practical and far-reaching manner.

Objections can not be urged to the bill on the theory that it proposes to commit the Government to a new and untried policy. It seeks only to give fuller force and more complete effect to the agencies already created by congressional action. Thirty-four States are now supporting, through their agricul-

tural colleges, some kind of agricultural extension departments; but, as urged before the committee, the moral effect of the aid of the Federal Government upon this line of work will be of incalculable value in further extending and promoting it.

The bill has received the most emphatic indorsement of the leading agricultural thinkers of the country, the rural press, influential business associations, and agricultural organizations.

The principle of agricultural extension work, through field instruction and demonstrations, is recognized by every leading country of Europe, including the British Empire, Austria, Bulgaria, Denmark, France, Hungary, Italy, Holland, Germany, Russia, and Belgium.

It is a significant fact that 25 years ago the agriculture of Belgium was in a most deplorable and discouraging condition. The wise men of the nation, seeking a remedy for this situation, established a system of extension work in agriculture, such as proposed in this bill, which in this brief period has completely revolutionized this foundation of all industries and governments, and has placed Belgium in the front rank of agricultural nations.

It is likewise significant, as pointed out by authorities in agricultural work, that the farmers of Europe are producing two and one-half to three times as much per acre as American farmers, and this in the face of the fact that European lands have been under cultivation for many centuries and were perhaps originally not so fertile as ours.

Fortunately, the conditions of Belgium, before the establishment of agricultural extension departments, as yet have not come entirely upon our country, but the committee is not unmindful of the striking similarity in tendencies. Soil fertility is undeniably decreasing, especially in the older States, and the production is failing to keep pace with the demands of the non-agricultural classes. At the present ratio the time is not far in the future when we will cease to produce sufficient food-stuffs with which to supply the Nation. It becomes the imperative duty of Congress to check these tendencies which, if permitted to continue, must bring about a deplorable condition. The committee recommends this bill as furnishing a remedy with which to avoid these inevitable consequences—a remedy found all-sufficient in Belgium and other European countries, and which is not entirely untried in this country.

Section 1 authorizes that agricultural extension departments may be established in each State in connection with its land-grant college or colleges, and permits the State in which two or more such colleges have been or shall be established to designate which may administer the funds.

Section 2 defines the object and duty of these agricultural extension departments to be to give instruction and practical demonstrations in agriculture and home economics through field demonstrations, publications, and otherwise.

Section 3 makes frankable printed matter and correspondence for the furtherance of the purpose of the act issued by the agricultural colleges or by agents of the extension departments thereof. This privilege is necessary in order that the plan of the bill may be executed.

Section 4 is the appropriating section of the bill and provides that the sum of \$10,000 shall be appropriated annually to each State which shall assent to the provisions of the act. The annual appropriation is a straight, unconditional appropriation to the several States and amounts each year to a charge upon the Treasury of \$480,000. The sum of \$300,000 is appropriated for the fiscal year 1914, and an annual increase of this appropriation of \$300,000 a year over the preceding year for a period of nine years is provided until the total amount of additional appropriations will be the sum of \$3,000,000 annually. But these additional appropriations, or this sum of \$3,000,000 annually, is to be allotted among the several States in the proportion which their rural population bears to the total rural populations of the United States, as determined by the next preceding Federal census. The Census Bureau defined as "urban population that residing in the cities and other incorporated places of 2,500 inhabitants or more, including the New England towns of that population."

The bill provides a sum of \$10,000 per year to each State unconditionally, and provides also that no State is to be entitled to any part of its allotment of the additional sums until its legislature has provided for the establishment of agricultural extension departments, as provided in section 1 of this bill; and it requires further that no State shall receive of these additional appropriations a sum exceeding the sum authorized by its legislature for that year for this purpose, or provided by State, county, college, or local authority. The idea is that there must be furnished to these extension departments by some authority other than the Federal authority as much as is provided by the Federal Government; no more, no less.



For example, the allotment to a given State might be the sum of \$50,000, which the State would receive if it should duplicate this amount, but it might happen that the State would desire to appropriate for such a purpose only \$25,000, in which event such State would be entitled only to \$25,000 of the Federal funds in addition to the \$10,000 which is given each year unconditionally. It makes mandatory that not less than 75 per cent of all moneys available under this act shall be expended each year for field instruction and demonstrations. The remainder of the money is available for extension work proper, home economics, and allied subjects.

Now, Mr. Chairman, it seems to me there is no legislation before the House of greater importance than this bill. Its passage will result in great benefit not only to the American farmer but to the entire country. I sincerely hope this bill will be taken up at an early date and passed without a dissenting vote. Our agriculturists are entitled to this consideration, and I insist upon them having it. While I am not in favor of class legislation, yet, in view of the fact that the prosperity of the farmer means the prosperity of the Nation, I stand ready to give my support to any bill that will advance his interests and make his life more pleasant and his profession more profitable.

Mr. FLOOD of Virginia. Mr. Chairman, I yield to the gentleman from Ohio [Mr. WHITE]. [Applause.]

Mr. WHITE. Mr. Chairman, the bill under consideration, as favorably recommended by the Committee on the Territories, provides for an elective legislative assembly for the Territory of Alaska. I feel to some extent qualified to discuss this measure by reason of my two and a half years' experience in the Alaskan interior—not as a tourist nor in an official capacity, but as a placer miner—one of the several thousand who plunged into the country during the Klondike stampede in the early spring of 1898. I have heard this afternoon of railroads already constructed and in operation, but previous to 1900 no locomotive whistle had pierced the stillness of the Alaskan air. The 5,000 Americans who were struggling to get over the mountains into the interior were forced to pack their provisions and outfits on their backs. It was the gold of the Yukon Valley—about \$30,000,000 in 1898 and \$28,000,000 in 1899—brought back by these pioneers that flowed into the banks of the United States and contributed to the reestablishment of an adequate gold reserve, the scarcity of which had determined the issue of the strenuous campaign of 1896.

Ten years have passed and the railroad has been built through the mountains over which we laboriously worked our way on foot. The older towns on the southeastern coast and the cities on our Pacific coast have felt the impulse of the constant flow of yellow metal. Yes, Alaska is unquestionably rich in mineral resources.

I have listened to the splendid oratory of the gentleman from Michigan [Mr. WEDEMEYER] and of the gentleman from New York [Mr. SULZER], who tell us they have cruised along a few hundred miles of the southeastern coast, and I have enjoyed the eloquent speech of my colleague, the gentleman from Ohio [Mr. WILLIS], who has so industriously studied statistics, and I find myself wondering if the Alaska they picture could have so changed since my experiences there. I want to be fair to Alaska but could not help thinking, when the gentleman from New York spoke of the "salubrity of her climate and the grazing advantage for sheep and cattle," that he had availed himself of the license granted to poets. It is true the Japan stream tempers the climate of the islands and a limited area of the southeastern coast, but, unfortunately for the people of the interior, that stream does not flow north to the Bering Straits or up the mighty Yukon River. During six months of the year an arctic cold prevails, extending over very much the larger part of Alaska. The thermometer seldom drops lower than 50 or 60 degrees below zero. In this summer garden we have heard described the sun shows its face during one or two hours a day throughout six or eight weeks to the shivering Alaskans, with the evident purpose of demonstrating that it still shines in the United States.

Alaska has vast territorial extent, 590,000 square miles. I presume throughout approximately 400,000 square miles of this area the ground is frozen the year round from 10 to 100 feet in depth. My partner and I sank a 72-foot shaft near the Yukon and were forced to thaw every foot of the dirt the entire depth. Judging by these facts, the House will understand why I question to some extent the immediate rush of home seekers and farmers that is promised as a result of the enactment of the pending bill creating an elective legislative assembly for the Territory. The bill provides for the election of 16 representatives in the assembly and 8 representatives in the council, and takes the 4 judiciary subdivisions as legislative units for election purposes.

No one at all familiar with the history of Alaska can question the statement that the Congress of the United States has neglected to pass legislation adequate to the development and needs of the Territory.

Session after session, under Republican control, has left unheeded the petitions and demands from the people of Alaska. It has remained for the Democratic Committee on Territories to formulate a bill to set up a legislative government, that the people themselves may write into statute the laws they have so long needed. In my humble judgment, however, the committee, in formulating the bill, has provided for a form of Territorial government far in advance of that which is justified by the present population.

And at this point I would like to take up, Mr. Chairman, the question raised by the gentleman from Illinois [Mr. MANN], and which no one on the floor of the House seems to be able to answer, namely, the relative proportion of native population—Indians and Chinese—as related to the white population in the different districts. Fortunately I have made a detailed analysis of the population of the second district, and will submit this to the committee and to the gentleman from Illinois [Mr. MANN] for their information. The second district has an approximate area of 150,000 square miles and a total population of 12,351, as you will observe on the map displayed before us. This total includes 7,233 Indians and 350 Chinese and mixed. The number of white males over 21 years of age is 3,492. The pending bill proposes to give these 3,492 voters, scattered over 150,000 square miles, the right to elect two representatives to the council and four representatives to the assembly. Let me call your attention to the further and more important fact that as against the 3,492 voters there is only a total of 938 white women. I submit that this proportion between men and women does not—at least in this second district—promise a settled community life, nor indicate the homes that are generally reckoned as a necessary foundation for a self-governing people.

My criticism of the bill refers only to the sparsity of population and not to the character of the men who live in Alaska. The men and women are a sturdy, self-reliant type of Americans. The very height of her mountain peaks and the grandeur of wild scenery seem to wield a subtle influence for good in this land of the midnight sun. The hazardous struggle in which men engage to successfully wrest from an arctic storehouse the mineral wealth contributes to the strengthening of moral and physical fiber. That such men should be demanding some form of self-government is the natural voice of a free people.

The President has repeatedly recommended in speech and message an appointive commission as best suited to the existing conditions in the Territory. A bill was introduced by Senator Beveridge last session, after having been favorably recommended by the Senate Committee on Territories, embodying this plan, and failed to pass the Senate.

The Secretary of the Interior, Hon. Walter L. Fisher, following a trip to Alaska last summer, suggests a middle-ground proposition as between the President's appointive commission and the present Wickersham bill creating an elective legislative assembly, and, Mr. Chairman, the Secretary's plan is, in my humble judgment, best adapted to develop a form of government suited to the needs and requirements of the Territory. Let me quote from the report of the Secretary of the Interior for the fiscal year ended June 30, 1911, page 55:

The fact that the Federal Government has heretofore made direct appropriation for the benefit of the Territory and that increased appropriations are needed constitutes one of the chief arguments against the extension of the principle of Territorial independence and Territorial responsibility to Alaska. Taken in consideration with the comparatively small and widely scattered population and the inadequate means for transportation and communication, it would seem to demonstrate that a commission form of government would best meet the existing situation. Such a commission could consist of appointed representatives of the Federal Government and locally elected representatives of the Territory itself. To it could be transferred, under appropriate limitations, the authority to make Territorial laws and regulations such as are now sadly needed.

Notwithstanding my avowed preference for the Secretary's proposed form of Territorial government, I intend to cast an affirmative vote for the bill under consideration to-day. The House Committee on the Territories has unanimously recommended the passage of the bill, and I am able to waive the objections already indicated because of my knowledge of the urgent need of relief from the present inadequate form of government in operation in the Territory. I view the granting of an elective legislative assembly to the 27,988 voters, scattered over 590,000 square miles, as contemplated in this bill, much in the same light as I imagine our fathers must have contemplated the purchase of a Sunday suit of clothes for us, when that transaction marked the turning point of another year, by selecting a suit several sizes too large, with the certain knowledge that we would grow into it at some period of the wearing.

Alaska is in a formative stage of development. The Territory needs better transportation facilities, the extension of her wagon roads, the building of a railroad from the coast to the great Yukon Basin, the opening up of coal and timberlands to honest and industrious seekers of home and fortune under a workable leasing system, and a revision of the mining laws, which for years have been abused and has resulted in retarding active development work.

I feel confident that agriculture will be developed to a certain degree through the energy of the people. In the great Tanana Valley men have demonstrated that they can, notwithstanding the frozen ground throughout 12 months of the year, grow a variety of produce and will be able to supply the demand for food resulting from the growing population. The testimony from Fairbanks and vicinity proves conclusively that farmers are successfully tilling to the depth of 3 or 4 feet of alluvial soil thawed by 20 hours of sunshine with which Alaska is blessed during the summer months. I have used the pick and shovel in Alaska's rich placer gravel, have swung my ax in her forests, have traveled over the trails with sled and dog teams, in close companionship with her sturdy pioneers, and can prophesy with the certainty of experience the grateful thanksgiving that will result in Alaska when the news of to-day's proceedings in the House is transmitted to this long-neglected people.

As the Delegate from Alaska [Mr. WICKERSHAM] knows, the sun is this month beginning to climb the southern skies after its winter's sleep, and it is certainly most appropriate that at the same time the hearts of these people be cheered by the news that a long-slumbering Congress has arisen to its opportunity of giving to her most northerly possession relief from the prevailing inadequacy of governmental control. [Applause.]

Mr. FLOOD of Virginia. Mr. Chairman, I yield to the gentleman from California [Mr. RAKER].

[Mr. RAKER addressed the committee. See Appendix.]

Mr. FLOOD of Virginia. I yield one minute to the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD for the purpose of placing therein the very able speech delivered by the gentleman from New York [Mr. FITZGERALD] as permanent chairman of the Democratic State convention at New York City on Thursday, April 11, 1912. In this speech the gentleman from New York deals at length with the achievements of the Democratic Party during the time it has been in control of this House.

Mr. MANN. The speech can not be very long, then.

Mr. BURLESON. It also deals with the delinquencies of the Republican Party during the recent past, when in control, which makes it quite lengthy.

Mr. CANNON. Will the gentleman yield for a question?

Mr. BURLESON. Certainly.

Mr. CANNON. So far as I am concerned, I shall certainly assent to this request, but I want to suggest the propriety of printing these speeches and addresses as documents. I think perhaps some one else has made that suggestion. It is a common thing to talk about burying a speech in the CONGRESSIONAL RECORD, but there is too much truth in that, on account of the comparatively limited circulation of the RECORD. If we should follow the practice of the Senate and print these things in the shape of documents, they would be more accessible. Of course, I have no doubt a great many people will read this speech.

Mr. BURLESON. I am inclined to agree with the gentleman from Illinois that the better practice would be to print such speeches as documents, but I assure the gentleman that this particular speech will not be buried in the CONGRESSIONAL RECORD, for it is our purpose to circulate it in certain sections of the United States where the people are in need of enlightenment. We intend to send many copies to Illinois.

Mr. CANNON. And Texas will doubtless receive a large number.

Mr. MANN. I made the same suggestion in the House the other day which my colleague, Mr. CANNON, has made now, intending to discuss the matter afterwards with various gentlemen in the House, and see if we could not arrive at some policy in reference to the printing of such things as this. I made inquiry at the document room and ascertained the number of copies that could be published if such a speech were printed as a document, and the number is not very large. Of course they would be frankable, and that is what gentlemen want to have done. I have not yet reached any understanding with gentlemen on the other side of the aisle, or even with gentlemen on this side of the aisle, with reference to the matter. I think it is desirable to adopt a policy and then after that to require that they shall all be printed as House documents.

Mr. BURLESON. I am in accord with the suggestion made by the gentleman from Illinois, and believe such speeches should be printed as House documents, but I would prefer that this speech take the usual course.

Mr. FINLEY. The proposition is to have this printed in the RECORD?

Mr. BURLESON. Yes. I hope no one will object.

The CHAIRMAN. Is there objection?

There was no objection.

The speech referred to is as follows:

SPEECH OF THE HON. JOHN J. FITZGERALD, AS PERMANENT CHAIRMAN OF THE DEMOCRATIC STATE CONVENTION, AT NEW YORK, N. Y., THURSDAY, APRIL 11, 1912.

"Gentlemen of the convention, to participate in a Democratic convention is a privilege highly prized; to be chosen to preside over this one is a distinction which I very greatly appreciate. For this expression of your esteem I thank you most sincerely.

"PROSPECTS OF THE DEMOCRATIC PARTY WERE NEVER BRIGHTER.

"Never in all of its existence have the prospects of the Democratic Party been so bright; never has the party been more entitled to be intrusted with power and control of governmental affairs; never has it been more deserving of the confidence of the country.

"RECORD OF ACHIEVEMENTS UNRIVALED IN POLITICAL HISTORY.

"In the coming campaign the party will appeal to the people upon a record of achievements unrivaled in political history.

"For sixteen years the Democracy had been excluded from the management of practically every department of the Government. Early in that period our opponents denounced us as a party of negation and of obstruction. They asserted that our party was wanting in that constructive capacity so essential to the successful conduct of governmental affairs. So persistently was this groundless statement reiterated that many of our own adherents were misled, and forgetting that the most glorious and most prosperous days of the Republic were during Democratic administrations, they frequently united with the professional political clique that misrepresented and ignorantly and unjustly condemned us.

"PAYNE-ALDRICH TARIFF RESENTED BY THE PEOPLE.

"Upon the enactment of the Payne-Aldrich tariff law a storm of resentment against the Republican Party swept the country. In the congressional campaign of 1910 an appeal was made for continued Republican supremacy upon the contention that the Democracy was a disorganized, disgruntled, incompetent, and incoherent group without unity in principles and policies and incapable of concerted action upon public questions. The President, in his speech at the Republican Club in this city on Lincoln's birthday, realized that disaster was impending, and that the country was about to pronounce its condemnation upon his party. He endeavored to appease the wrath of the people, not by justifying the tariff law as he had attempted in his Winona speech, but by conjuring the danger that threatened from Democratic success.

"Should disaster follow us—

"He said—

"and the Republican Party becomes a minority in the next House, it may be possible that in the Democratic exercise of its power the people of the country will see which is the party of accomplishment, which is the party of arduous deeds done, and which is the party of words and irresponsible action.

"Disaster did follow the Republican Party. Its majority of 40 in the House of Representatives was turned into a Democratic majority of 65. We await with confidence the decision of the country as to which has been the party of accomplishment and which the party of irresponsible opposition.

"The Congress was convened in extraordinary session in April, 1911. The President was informed in advance that the Democratic House would not be content merely to enact such legislation as he desired, but that it would insist upon the consideration of other legislation imperatively demanded by the country, and particularly of bills to relieve the people from the unjust exactions of the iniquitous Payne-Aldrich tariff law, which had been so universally condemned.

"THE PRESIDENT DISPLAYS CONFIDENCE IN THE DEMOCRATIC PARTY.

"No more flattering nor more deserved compliment was ever extended to political opponents since the beginning of the Government than by the President in convening Congress in extraordinary session. For he not only called the Congress together to enact legislation to which a majority of his own party was opposed, but he gave a solemn pledge to refrain from exercising his constitutional right to prorogue the Congress until the Democratic House had completed its appointed task of attempting to remove from the people the grievous burdens laid upon them by Republican Congresses.



"CONFIDENCE SPEEDILY JUSTIFIED."

"Upon the convening of the Congress the House was organized with a rapidity and smoothness that amazed and disconcerted our Republican opponents. The confidence of the President in the capacity of the Democratic Party to act in a patriotic manner was speedily justified. Although but two of the Democratic Members had served in the House when the party had previously been in power, public business was transacted in such a manner as to command the admiration of the people regardless of their party affiliations.

"Instead of a disgruntled, disorganized, quarreling, and inefficient mob, the country witnessed the welcome spectacle of a united, harmonious, efficient, and thoroughly organized political party, whose individual members freely subordinated their personal preferences for the accomplishment of results beneficial to the great majority of the people.

"RECORD FOR CONSERVATIVE AND CONSTRUCTIVE STATESMANSHIP  
UNRIVALED."

"Under the wise leadership of Speaker CLARK and of Representative UNDERWOOD, the chairman of the Committee on Ways and Means, the Democratic House during the first session of this Congress made an unrivaled record for conservative and constructive statesmanship which awakened anew Democratic hopes and merited universal respect and admiration.

"At the outset important changes were effected in the procedure of the House. The Speaker was stripped of much power, the possession and improper exercise of which had been the cause of very considerable complaint.

"DEMOCRATIC REFORMS FRUSTRATED BY REPUBLICAN SENATE."

"The consideration of public business then proceeded upon a comprehensive and a patriotic basis. Our party was pledged to the election of the United States Senators by direct vote of the people. This reform was declared to be 'the gateway to other national reforms.' The Democratic House promptly proposed an amendment to the Constitution to effect this reform. That the amendment has not been submitted to the States for ratification is due to the action of the Republican Senate in so amending the resolution as to insure its defeat. Three times during my service in the House has such an amendment been sent to the Senate. Until a Democratic House adopted the proposed amendment, backed by a widespread and insistent public demand, the Senate had ignored such resolutions. Failure to submit the amendment to the States for ratification will be due to the opposition of a Republican Senate, which has frequently demonstrated its ability to frustrate the expressed will of the people just as effectively by the indirect as by the bolder and perhaps more hazardous direct method.

"DEMOCRATS PREVENT IMPROPER USE OF MONEY IN ELECTIONS."

"The Democratic platform of 1908 demanded legislation to terminate forever 'the partnership existing between the corporations of the country and the Republican Party under the expressed or implied agreement that in return for the contribution of great sums of money to purchase elections they should be allowed to continue substantially unmolested in their efforts to encroach upon the rights of the people.'

"Convinced that the abuses resulting from such a system constituted the greatest existing menace to the Republic, and that 'the rule of the people,' about which so much has been said recently by some who had been the beneficiaries of the practice condemned in the Democratic platform, was prevented by the alliance thus denounced, the Democratic House, as one of its first legislative acts, passed a bill requiring publicity of campaign contributions. The more effectively to accomplish this end the bill provided for publicity before as well as after the election. In the last Republican national convention a resolution pledging the Republican Party to such legislation was overwhelmingly defeated. An awakened public conscience compelled the reluctant Republican Senate to accept this Democratic measure, and it is now the law of the land. It will prevent the improper use of money in national elections. Had the Democracy not obtained control of the House, the law would not have been enacted, as such a bill was defeated in the Sixty-first Congress by the Republicans then in control.

"REPUBLICANS REPUDIATE THEIR PROMISES."

"The last national campaign was determined largely on the tariff issue. Both parties appreciated the importance of the question, and both candidates for the Presidency were pledged to convene Congress in extraordinary session immediately upon taking office to revise the existing tariff law.

"The Democratic Party was clear and explicit in its pledges. Its platform declared for the 'immediate revision of the tariff by the reduction of import duties.' No one has ever been able to determine exactly the meaning of the Republican platform.

During the campaign President Taft frequently stated that many of the duties in the then existing Dingley law were excessive, and the country justly assumed from his campaign utterances that, however vague the Republican platform, the candidate of that party earnestly favored substantial reduction in the import duties. Yet he signed the Payne-Aldrich bill and aroused the just resentment of an already outraged people by declaring in his Winona speech that it was the best tariff law ever enacted.

"No more scathing denunciation of any legislation was ever uttered than the condemnation of this law by the late Senator Dolliver, of Iowa. He was a staunch Republican and an ardent protectionist. He had served eleven years in the House before his election to the Senate. As a member of the Committee on Ways and Means in the House he had aided in the preparation of the Dingley Act. He had approved and defended it with all the vigor of his wonderful eloquence and commanding personality. Yet he revolted at the atrocious features of the Payne-Aldrich law. On June 10, 1910, he characterized this act in most forcible terms. As a revision of the tariff downward he ranked it as a hoax with the discovery of the North Pole by Dr. Cook.

"We were unable to vote for the conference report—

"He said—

"because, in our opinion, it had failed to fulfill the promises which the party had made to the public. We had no promise outstanding \* \* \* to reduce schedules here and there. That was not our promise. \* \* \* Our promise was to revise the tariff with reference to a set standard of justice and fairness by which our laws should give the advantage to our own people of that difference in the cost of production which is known to exist between this market place and the market place of other countries. That was our promise. How did we fulfill it? It was laughed at as ridiculous.

"COUNTRY REPUDIATES THE REPUBLICAN PARTY."

"But the country did not laugh. The promise and its breach were taken by the people seriously, and the Republican Party was overwhelmed in the campaign and the Payne-Aldrich law emphatically repudiated.

"The Democratic House proposed the so-called farmers' free-list bill. It was designed to accomplish two purposes—to take from the protected list the implements of trade used by the farmers in producing crops and to reduce the cost of living to the American people by putting foodstuffs upon the free list. If enacted into law there would have been admitted free of duty agricultural implements, cotton bagging and ties, leather, boots and shoes, fence wire, meats, cereals, flour, bread, timber, lumber, sewing machines, salt, and other articles, the price of all of which has been placed at unjustifiably high levels to the discomfort and disadvantage of the American people.

"FARMERS' FREE-LIST BILL DESIGNED TO REDUCE COST OF LIVING."

"To illustrate the abuses sought to be eliminated by that bill and the relief that the people would have obtained it will suffice to refer briefly to the situation relative to sewing machines. They are articles of necessity in every American household.

"In 1905 the value of sewing machines for household use manufactured in this country was in excess of \$14,000,000. Last year the exportations of such machines were valued at \$9,000,000, while those imported aggregated only \$52,000. The duty on sewing machines is 20 per cent ad valorem. They sell here at from \$20 upward, and are purchased as necessities by those who earn their bread in the sweat of their face. It was authoritatively stated during the debate on the free-list bill that identical machines were laid down in the Orient, wholesale, including freight, for \$8.25. In whose interest is so prohibitive a duty retained?

"The Republican platform declared for such duties as 'will equal the difference between the cost of production here and abroad, together with a reasonable profit to American industries.' That is the excuse for maintaining prohibitive duties whereby under the guise of reasonable profits to an American industry unconscionable profits are extorted from the American people. What are the reasonable profits which the President persists must be protected?

"Moody's Manual for 1909, the well-known and standard publication concerning corporations, contains information on this question at once illuminating, astounding, and almost incredible. It appears that the Singer Manufacturing Co. was organized originally in 1864 with a capital stock of \$500,000. The present company was organized in 1873 for the purpose of manufacturing sewing machines. It has plants in New Jersey, in Scotland, in Canada, and various other places. In 1906 it absorbed the Wheeler & Wilson Manufacturing Co., and now handles 80 per cent of the world's output of sewing machines, and it owns its own iron mines and timberlands. The capital

stock of the present company was originally \$1,000,000. In 1887 it was increased to \$10,000,000, and in December, 1900, by a stock dividend of 200 per cent, to \$30,000,000. In 11 years it has declared a stock dividend of 200 per cent and cash dividends of 268 per cent.

**"COST OF NECESSARIES WOULD HAVE BEEN REDUCED.**

"It was to take the unholy clutch of this trust from the purse of the starving seamstress and of the toiling piece-worker, and from the earnings of every reputable household, where the busy housewife is compelled to purchase a machine on the installment plan, that the free-list bill was proposed. But this was not the only trust that would have had its strangle hold shaken off the American people. The Beef Trust, the Harvester Trust, the Bagging Trust, and other equally indefensible aggregations of capital would have been arrested in their exploitation of the American people, and the price of many of the necessities of life would again have been brought within the reach of all without imperiling a single dollar legitimately invested in honest industry.

"As an essential part of the plan to obey the people's mandate, bills to revise the woolen and the cotton schedules quickly followed.

**"INDEFENSIBLE WOOLEN SCHEDULE REVISED.**

"The President had declared the woolen schedule to be indefensible. It had remained practically unchanged in Republican tariff laws since 1866. A combination of western wool growers and eastern woolen manufacturers had a controlling grip upon the Republican Party. They acquiesced in the revision of the tariff in the Sixty-first Congress upon condition that the wool schedule should not be changed. Under existing law the average duties on manufactures of wool average over 92 per cent ad valorem. The cheaper and more common the use of the articles, the higher the duty. The Democrats proposed to reduce the duties to an average of 42 per cent. Such reduction would not have injured any legitimate industry, although law-protected profits would have disappeared and immeasurable benefit resulted to the consuming public.

**"RATES OF THE COTTON SCHEDULE SUBSTANTIALLY REDUCED.**

"An infinite variety of articles of clothing, blankets, carpets, and other necessities are taxed under this and the cotton schedules, and the resulting burdens have been the most onerous ever imposed upon the American people.

"These bills were sent to the Senate. The controlling majority of that body are Republicans and advocates of the protective system. Under such conditions neither party could obtain legislation in complete harmony with its principles, and thus compromises were imperative. The free-list bill was sent to the President but slightly modified from the form in which it passed the House. Adjustment of the differences on the wool bill resulted in average duties on manufactures of 48 per cent. The cotton bill made substantial reductions from the existing law, and, in addition, there were added provisions reducing the rates of the chemical schedule 25 per cent and eliminating some of the most ingenious and indefensible jokers in the metal schedule and reducing the duties therein generally.

**"VETOED BY REPUBLICAN PRESIDENT.**

"With such adjustments the bills went to the President for approval. Happy day! On December 3, 1910, he had said to the Chicago Association of Trade: 'We are bound to promote elimination of instances of injustice in the tariff laws.' Bills to eliminate gross injustices, to remove intolerable burdens were before him. They were not partisan; they had been supported in the House by more than 20 Republicans, and had been approved in the Senate with the aid of Republican votes. The deliverance of the American people from the grasp of greed and monopoly appeared to be at hand. Indecent protection had received a staggering blow in the Senate, the stronghold in which privilege was most strongly entrenched. But there still remained the citadel apparently occupied by a champion of the people. Until that moment the alliance between politics and privilege was believed to be most repulsive to the President. Only his signature was needed to vitalize the legislation and to dispel the gloom which so completely enveloped the country.

**"TRUST MAGNATES PLEASED BY VETOES.**

"He must have forgotten his warning that if the House were Democratic 'the people would have an opportunity to see which is the party of arduous deeds done and which the party of words and irresponsible action.' The Democrats had acted; the President had talked. The House had stricken the shackles of the trusts from the people; the President put the shackles back. Had he approved these bills his memory would have been cherished in every hamlet. The smoke from the newly kindled fire in millions of homes would have been an incense expressive of the gratitude of a liberated and happy people. The lowliest

persons in the land would have uttered fervent prayers of thanksgiving sweeter and more beautiful than the noisy plaudits of thoughtless partisans. Never again in this land of plenty would there have been the necessity to form nonmeat-eating clubs to check the rapacity of the Beef Trust. But the President failed the people in the hour of need. He vetoed the bills; and when the news was flashed to the public, his expressive smile was but the flickering shadow of the expansive grin of contentment that was prevalent wherever the trust magnates and the beneficiaries of law-protected profits gathered to commend his action.

"The effect of the vetoes was far-reaching. The country had demanded modifications in the tariff. To the most casual observer it was apparent that inexcusable preferences were accorded to favored individuals, while for large numbers of the people the inalienable right to life and the pursuit of happiness had degenerated into a desperate struggle for bare existence.

**"THE LAWRENCE STRIKE A CONDEMNATION OF THE PROTECTIVE SYSTEM.**

"What was of common knowledge at the time of the vetoes has since been sharply emphasized by conditions in the city of Lawrence. Located there are extensive woolen and cotton mills. The industries are highly protected. Duties in excess of 90 per cent are asserted by Republicans to be imperative to insure reasonable profits to the manufacturers and to protect the American workmen against foreign pauper labor. The manufacturers have all accumulated comfortable, in many instances incredible, fortunes. What is the condition of employees? It is a pitiable tale; it is a sweeping condemnation of the structure upon which the protective system is built. Out of every 100 deaths in this country 27 are of children under 5 years of age; but in Lawrence, and in other communities where highly protected industries largely predominate, the deaths of children under 5 years of age are 47, 48, and even as high as 50 in every 100.

"Different estimates have been made as to the compensation of toilers in these mills. W. J. Lauck, formerly in charge of the industrial investigations of the United States Immigration Commission, has recently stated that—

"The average annual earnings of the male heads of families in the woolen and worsted industries in Lawrence are only \$400, and of all males upward of 18 years, \$346.

"A distinguished Member of the House of Representatives, Representative TOWNSEND, of New Jersey, peculiarly well fitted for such work, has just made a careful personal investigation of the situation in Lawrence. As nearly as it was possible for him to ascertain the average actual earnings of males is about \$5.30 a week. While the Lawrence strike was at its height a trained nurse was sent from this city to aid in arranging for the comfort of children in distress. Out of 119 children placed in her charge only 4 had any underwear, and only 20 had overcoats. All of them were employed in the mills, and many of them in those mills in which woolen underwear was made. Yet their earnings and condition were such that they were unable to obtain underclothing to shield their frail bodies from the bitter blasts of the New England cold.

**"DEMOCRACY DETERMINED TO ELIMINATE APPALLING ABUSES.**

"Such conditions the Democratic Party desired to correct. In so doing they reflected the will of the American people. So far as the appalling abuses are due to the excessive tariffs the Democratic Party has determined to eliminate them. The primary object of our solicitude is the great mass of the people—the consumers of the land. Whatever relief is essential can easily be extended without affecting any legitimate industry, although industries existing and fattening upon tariff privilege may well be alarmed for their security.

"In his veto messages the President considered only the interests of those engaged in the protected industries. His chief concern was whether anyone who had been enjoying illicit profits through aid of the law should be separated from them. The manufacturer and his profits were uppermost in the President's mind; the welfare of all of the people was the anxiety of the Democratic House. His veto messages are inconsistent; they are irreconcilable. He disapproved bills which were compromises between a Republican Senate and a Democratic House, and which were supported in the House by many Republicans.

**"FAILURE TO OBTAIN RELIEF ATTRIBUTABLE TO THE PRESIDENT.**

"His action was based on lack of information to determine whether sufficient protection from his standpoint was retained for those long the beneficiaries of Republican tariffs. The bills affected only a few of the schedules. Yet he had approved the Payne-Aldrich bill which changed all but the woolen schedule with much less information than he had when he rejected the bills which the Democrats originated. From one standpoint his



action is intelligible. The President realized that any revision of the tariff by a Republican Congress would not seriously interfere with the plunder of the tariff barons; and he also knew that their interests would be subordinated to the people's rights in bills originating in a Democratic House.

**"TARIFF BOARD USED TO OBSTRUCT REMEDIAL MEASURES."**

"Failure to obtain relief is due to the President. He hid behind a Tariff Board; he pleaded that it should report before action was taken. Some abuses could be cured without such delay and expense. At Winona he said it would take the remaining years of his present administration to make the necessary investigations, and during that time the differences in the Republican Party could be healed. The board apparently has acted upon that assumption. It has proved an obstruction, a hindrance, an obstacle to remedial measures. The Democratic Party will gladly appropriate every dollar required to obtain information needed intelligently to revise the tariff, but it will not consent to the continuance of a board which is used to prevent legislation urgently demanded.

"That relief is imperative is a matter of common knowledge. An investigation just completed by the United States Commissioner of Labor covering prices of more than 250 articles of food discloses that in 1911 the cost of foodstuffs increased 2 per cent over the prices of the previous year. There has been no reduction in the cost of living; there will be none until the return of the Democratic Party to power.

**"DEMOCRATIC PARTY CONTINUES ITS EFFORTS TO REMEDY EVILS."**

"Undismayed by the President's vetoes, confident that their bills were justified, and that they met with universal commendation, the Democratic Party has continued during the present session of Congress its efforts to take the weight of tariff-made prices from the people's back.

"It has passed bills to revise the metal schedule, the chemical schedule, the wool schedule, to place sugar on the free list, and to impose an excise tax upon certain incomes.

**"SUGAR SHOULD BE ON THE FREE LIST."**

"In 1909 there were consumed in this country 3,628,300 tons of sugar; 835,800 tons were raised here from sugar cane and sugar beets, and 2,887,100 tons were imported from other countries. The increased cost to the consumer as a result of the present tariff is 1½ cents a pound. Based upon a consumption in 1911, 7,356,000,000 pounds in the United States, the tax extracted from the people amounted to \$115,000,000. Of this, however, but \$55,000,000 were collected by the United States; the other \$60,000,000 represented tariff profits to the trust and other refiners. In the investigations recently conducted by Congress it was decisively established that the price of refined sugar to the American people is affected to the full extent of the duty. Sugar is a prime necessary of life. If the cost of living is to be reduced, sugar should be admitted free. It may be that a Republican Senate will not enact this bill, and the President in his solicitude for the profits of the trust, will not approve such a measure. If the interests of the people were put first, however, every Republican would support such a bill, because twenty years ago it was advocated by such ardent protectionists as Representatives PAYNE and DALZELL as well as by the great apostle of protection, the late President McKinley.

"To justify such legislation at this time some means of obtaining the revenue lost by its enactment is necessary. To maintain the Government during the present fiscal year the Republicans appropriated the enormous sum of \$1,026,287,505.81. These expenditures must be met from moneys raised by taxation. From no other source other than the people can the Government obtain money. Last year the receipts of the Government were, from customs, \$314,497,071; from internal revenue, including the corporation tax, \$322,529,200; from miscellaneous sources, \$58,614,466; from sale of public lands, \$5,731,636; and from the postal service, which was expended in that service, \$237,879,823.

"All of this revenue is needed to meet the expenditures heretofore authorized.

"To supplement the revenue to be obtained through the Payne-Aldrich law, provisions were inserted therein imposing an excise tax upon the incomes of corporations in excess of \$5,000. That tax has been sustained by the Supreme Court.

**"AN INCOME TAX WOULD SHIFT BURDEN FROM CONSUMPTION TO WEALTH."**

"The Democratic Party has long favored an income tax. It believes that under our existing system of taxation unequal burdens rest upon those least able to pay. The theory of all Republican tariff legislation has been to impose the burdens on consumption largely to the exclusion of wealth. The Democratic Party, so far as it can equitably be done, would shift the burden from consumption to wealth. The result would be the fairest and the most equitable system that could be devised. In

1894 the Democrats, in enacting the Wilson law, included provisions for an equitable income tax. The Supreme Court, overturning the decisions of a century, decided by a vote of five to four that it was contrary to the Constitution.

"The present House passed a bill which is in conformity with the most recent decisions. It practically extends to individuals and to copartnerships the law sustained by the court as applicable to corporations. Unfortunately it does not include the incomes of many of the idle rich, which should be comprised in a completely rounded system of taxation. At present such sources of revenue can not be reached, but they will be whenever the constitutional amendment now pending is ratified by a sufficient number of the States. It was a Democratic legislature in this State that ratified the amendment, and it lacks the approval of but six more States to be effective.

"When the amendment was pending before our legislature it was denounced by Gov. Hughes because it was so framed as to permit the Federal Government to tax incomes derived from State governments and their subdivisions as compensation for official services. The pending bill has been most vigorously criticized by Republicans because it exempts such incomes from taxation. Any attempt to make the wealth of the land bear its legitimate share of governmental burdens will find the Republican Party ready and resourceful in strenuous opposition.

**"REPUBLICAN PARTY LAVISH IN EXPENDING THE PUBLIC TREASURE."**

"If tariff taxes are to be reduced, it is essential to curtail the expenditures of the Government. During the past sixteen years the Republican Party has been most lavish in expending the people's treasure. Many thoughtful students of governmental affairs have been inclined to believe that certain far-seeing Republicans deliberately encouraged liberal expenditures to make more difficult substantial reductions in tariff rates.

"As stated heretofore, the authorized expenditures for the current year are \$1,026,287,505.81. Twenty years ago the people revolted at a 'billion-dollar Congress.' Now a 'billion dollars' are expended every year instead of every two years. Prior to 1909 the expenditures for the Government reached the thousand million dollar mark but once in our history. In 1865, when the country was in the throes of a bitter, bloody, and expensive civil war, the expenditures aggregated the enormous sum of \$1,394,655,448, but of this sum \$1,030,690,400 were for the support of the Army.

"The expenditures during the four fiscal years ending in 1869, immediately following the Civil War, were 50 per cent less than during the four years of the war, while the second four-year period after the war saw a reduction of \$404,000,000, or about 25 per cent less than in the four years ending in 1869.

"In the four years ending in 1905 the total expenditures were \$235,000,000 in excess of the preceding four years, during which the cost of the War with Spain had to be met.

**"DEMOCRATIC PARTY IS PLEDGED TO AN ECONOMICAL ADMINISTRATION."**

"There has been no stop in the riot of expenditures. So long as it continues the heavy burden must fall upon the people. The Democratic Party is pledged to an economical administration and to retrench public expenditures.

"It proposes, so far as it has the power, to cut out all useless services and unnecessary expenditures in the Government, so that the people may be relieved from excessive and oppressive taxes. We believe that results, not promises, are the criterions by which the people shall judge. We challenge a comparison of our accomplishments with those of our opponents. When this Congress was organized the Democrats set a Spartan example by reorganizing the service of the House of Representatives so as to make an annual saving of \$258,940.

**"POSTAL SERVICE DEMORALIZED THROUGH USE AS POLITICAL MACHINE."**

"In a special message to Congress on Thursday, April 4, 1912, the President states that if the postmasters in first and second class post offices 'were embraced in the classified service and required to devote all their time to the public service the annual savings would eventually represent many millions of dollars.' These postmasters are the appointees of the President; they are under the control of the Executive branch of the Government; they are subject to the rules and discipline of the Post Office Department. It is the duty of the Postmaster General to require from them the services for which they are paid. If they do not devote all their time to the public service, let the President command them to do so, and to refrain from the arduous work of endeavoring to conduct the chaotic affairs of the Republican Party. The demoralization of the postal service is easy to understand. It could hardly be otherwise since the establishment of the custom in recent years of putting it in charge of the head of the Republican national machine.

"IN STRIKING CONTRAST WITH DEMOCRATIC IDEAS.

"This message confirms the knowledge that there is much for our party to do. The work has just begun. It will be continued during the present session. Our policy is predicated upon the homely notions of a former and a distinguished citizen of this State, who towers among our Presidents as a giant, the late Grover Cleveland.

"In his first inaugural address he said:

"It is the duty of those serving the people in public place to closely limit public expenditures to the actual needs of the Government economically administered, because this bounds the right of government to exact tribute from the earnings of labor or the property of the citizen and because public extravagance begets extravagance among the people. We should never be ashamed of the simplicity and prudent economies which are best suited to the operation of a republican form of government and most compatible with the mission of the American people.

"In striking contrast with these exalted ideas of a great Democratic President is the attitude of the present administration.

"A different conception of the simplicity compatible with the mission of the American people is being encouraged. For the President and the Secretaries of State and of the Treasury, imbued with the later-day views, have all approved plans for a new building to be erected in Washington for the Department of State, which make provision for an audience chamber, a dining room, a kitchen, and regal suites to permit of the entertainment of distinguished foreigners without danger of their contamination from association with ordinary American citizens in the hotels of Washington.

"BENEFICIARIES OF UNEQUAL PRIVILEGES ARRAYED AGAINST US.

"No easy task confronts the Democracy. Arrayed against us are all the legions that have so long enjoyed unequal privileges and unfair opportunities under Republican legislation. They have awakened to the meaning of the Democratic program; they realize that it means the end of the system so profitable to them. Sinister movements already can be discerned to thwart our efforts. Every obstacle that human ingenuity can devise will be placed in our path. Trifles are being magnified, bugaboos are being invented, fears are being aroused, attempts are being made to stir up strife within our ranks in order to distract the people from the significance of the action of the Democratic House of Representatives. Heretofore our opponents have sneeringly demanded to be shown our achievements during the period in which they were in complete control of governmental affairs. Our pledge was given that if afforded an opportunity faith would be kept with the people. We have had the opportunity; we have kept the faith. The promises made to the people have been rigorously fulfilled. We revised the tariff downward; we provided for direct election of United States Senators by the people; we legislated to strike corruption from our political system; we admitted Arizona and New Mexico to statehood; we have met labor's demand for a humanitarian and just eight-hour day; we have retrenched public expenditures; we have striven to reduce the cost of living; we have conducted the business of the House with dignity, with dispatch, and with due regard to the rights of the entire membership; and to stop unjust discriminations against American Jews we forced the passage of a resolution to abrogate the Russian treaty.

"OUR RECORD IS UNEQUALLED AND OUR PRINCIPLES SHOULD PREVAIL.

"Such is our record. No political party has ever equaled our record in this Congress. It is open for inspection. We invite criticism; we challenge comparison. It is an earnest of the high purpose of the Democracy to serve unselfishly the people. Many great problems of momentous importance await consideration and solution. They can not be settled in stump speeches or between naps on a train. They require thoughtful, earnest, labored study and patient consideration. We ask to be judged by what we have already done. It is the measure of our capacity, of our intelligence, and of our patriotism."

Mr. FLOOD of Virginia. Mr. Chairman, I yield to the gentleman from Colorado [Mr. TAYLOR].

[Mr. TAYLOR of Colorado addressed the committee. See Appendix.]

Mr. FLOOD of Virginia. Mr. Chairman, I yield to the gentleman from Connecticut [Mr. REILLY].

[Mr. REILLY addressed the committee. See Appendix.]

Mr. FLOOD of Virginia. Mr. Chairman, I yield to the gentleman from New York [Mr. LEVY].

Mr. LEVY. Mr. Chairman, I would like to make a few remarks on this subject, for it is one in which the whole country is interested. As a comparison between what Canada is doing for the benefit of her Provinces and the United States for Alaska, I want to say that the Parliament at Ottawa, Canada, this year has appropriated \$39,000,000 for railroads.

[Mr. LEVY asked for and obtained unanimous consent to extend his remarks in the Record.]

Mr. FLOOD of Virginia. Mr. Chairman, I ask unanimous consent that all Members who have spoken on this bill may be allowed to extend their remarks in the Record.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that all those who have spoken on the bill be permitted to extend their remarks in the Record.

Mr. MANN. On the subject matter of the bill?

The CHAIRMAN. On the subject matter of the bill. Is there objection?

There was no objection.

Mr. FLOOD of Virginia. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. CLINE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13987) to create a legislature in the Territory of Alaska, and had come to no resolution thereon.

RESIGNATION FROM COMMITTEE.

The SPEAKER laid before the House the following:

HOUSE OF REPRESENTATIVES, April 17, 1912.

MR. SPEAKER: I resign as a member of the Committee on Accounts. S. A. RODDENBERRY.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on Indian Affairs was discharged from the further consideration of the bill (H. R. 2931) for the relief of registers and receivers of the United States land offices in the State of Kansas, and the same was referred to the Committee on Claims.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5355. An act to acquire a site and for the erection thereon of a public building at Beaver Dam, Wis.; to the Committee on Public Buildings and Grounds.

S. 5333. An act to authorize the widening and extension of Spring Road NW., and for other purposes; to the Committee on the District of Columbia.

S. 2270. An act to provide for the erection of a public building at Richfield, Utah; to the Committee on Public Buildings and Grounds.

ENROLLED BILLS SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 20117. An act to authorize the Nebraska-Iowa Interstate Bridge Co. to construct a bridge across the Missouri River near Bellevue, Nebr.; and

H. R. 19638. An act to authorize the San Antonio, Rockport & Mexican Railway Co. to construct a bridge across the Morris and Cummings Channel.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5059. An act granting school lands to Louisiana; and

S. 244. An act extending the operation of the act of June 22, 1910, to coal lands in Alabama.

ADJOURNMENT.

Mr. FLOOD of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 34 minutes p. m.) the House adjourned until to-morrow, Thursday, April 18, 1912, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting estimate of appropriation made necessary by the present floods in the Mississippi River (H. Doc. No. 704); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of State submitting estimate of appropriation required to pay expenses of printing certified copies of the final ascertainment of the



electors for President and Vice President of the United States as transmitted by the executive of each State to the Secretary of State (H. Doc. No. 703); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting estimate of appropriation for constructing and equipping a dry house for small-arms powder at Picatinny Arsenal to replace one destroyed by fire on April 6, 1912 (H. Doc. No. 702); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Arcadia Harbor, Mich. (H. Doc. No. 701); to the Committee on Rivers and Harbors and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. NELSON, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 11149) to authorize the Secretary of the Treasury to convey to the city of Sulphur Springs, Tex., certain land for street purposes, reported the same without amendment, accompanied by a report (No. 563), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (H. R. 19344) to authorize the Secretary of the Interior to exchange lands for school sections within an Indian, military, national forest, or other reservation, and for other purposes, reported the same with amendment, accompanied by a report (No. 566), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR of Colorado, from the Committee on Mines and Mining, to which was referred the bill (H. R. 22081) to establish a mining experiment station at Silverton, San Juan County, Colo., to aid in the development of the mineral resources of the United States, and for other purposes, reported the same without amendment, accompanied by a report (No. 567), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAWLEY, from the Committee on Agriculture, to which was referred the bill (H. R. 20738) for the transfer of the so-called Olmstead lands, in the State of North Carolina, from the Solicitor of the Treasury to the Secretary of Agriculture, reported the same without amendment, accompanied by a report (No. 564), which said bill and report were referred to the House Calendar.

Mr. RUCKER of Missouri, from the Committee on Election of President, Vice President, and Representatives in Congress, to which was referred the bill (H. R. 23349) providing for publicity of contributions and expenditures for the purpose of influencing or securing the nomination of candidates for the offices of President and Vice President of the United States, reported the same with amendment, accompanied by a report (No. 565), which said bill and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House as follows:

Mr. CANTRILL, from the Committee on Claims, to which was referred the bill (S. 183) for the relief of G. A. Embry, reported the same without amendment, accompanied by a report (No. 560), which said bill and report were referred to the Private Calendar.

Mr. HEALD, from the Committee on Claims, to which was referred the bill (S. 4050) for the relief of Catherine Ratchford, reported the same without amendment, accompanied by a report (No. 561), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 837) to reimburse the officers and crew of the lighthouse tender *Manzanita* for personal-property losses sustained by them on the foundering of that tender October 6, 1905, reported the same without amendment, accompanied by a report (No. 562), which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 19580) for the relief of Alexander Read; Committee on Indian Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 3104) for the relief of A. H. Reynolds; Committee on Indian Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 20868) for the relief of August Schultz; Committee on Indian Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 20455) for the relief of Elsie J. Angier and others; Committee on Indian Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 573) for the relief of the estate of Israel Folsom; Committee on Indian Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 22409) for the relief of John Dombroski; Committee on Indian Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 23142) authorizing the Secretary of the Treasury to pay Eli Sears \$480 for property destroyed by the Pima Indians; Committee on Indian Affairs discharged, and referred to the Committee on Claims.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CLINE: A bill (H. R. 23459) requiring all ocean-going steamers and vessels to provide a sufficient number of lifeboats to accommodate all passengers, officers, and crew in case of accident; to the Committee on the Merchant Marine and Fisheries.

By Mr. LANGLEY: A bill (H. R. 23460) authorizing the fiscal court of Pike County, Ky., to construct a bridge across Russell Fork of the Big Sandy River at Marrowbone, Ky.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 23461) authorizing the fiscal court of Pike County, Ky., to construct a bridge across Russell Fork of Big Sandy River at or near Millard, Ky.; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: A bill (H. R. 23462) to amend section 4488 of the Revised Statutes of the United States; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 23463) to amend section 4488 of the Revised Statutes of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. MURDOCK: A bill (H. R. 23464) authorizing the Postmaster General to pay a cash reward for suggestions submitted by postal employees for the improvement or economy in the postal system; to the Committee on the Post Office and Post Roads.

By Mr. CANDLER: A bill (H. R. 23465) to amend section 162 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911; to the Committee on the Judiciary.

By Mr. SULZER: A bill (H. R. 23466) to amend section 4488 of the Revised Statutes of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. KENT: A bill (H. R. 23467) to authorize the completion of the unfinished portion of the Government road from Rollerville to the Point Arena Lighthouse, Mendocino County, Cal.; to the Committee on Appropriations.

By Mr. WEEKS: A bill (H. R. 23468) to locate, map, and mark the battle fields of Fredericksburg, Chancellorsville, the Wilderness, and Spotsylvania Court House, and other minor engagements within or adjacent thereto, included in what is commonly known as the Wilderness campaign; to the Committee on Military Affairs.

Also, a bill (H. R. 23469) to purchase a painting of the Battle of Bunker Hill; to the Committee on the Library.

By Mr. HUMPHREY of Washington: A bill (H. R. 23470) to protect American trade and American shipping from foreign monopolies; to the Committee on the Merchant Marine and Fisheries.

By Mr. HARDWICK: A bill (H. R. 23471) regulating the entry and clearance of certain vessels at the ports of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. KINDRED: A bill (H. R. 23472) amending section 4400 of the Revised Statutes of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. HENRY of Texas: Resolution (H. Res. 498) for the consideration of H. R. 23349; to the Committee on Rules.

By Mr. LEVY: Resolution (H. Res. 499) authorizing the Secretary of State to open negotiations with maritime nations of the world for the purpose of establishing an international patrol along the steamship lanes of the North Atlantic Ocean, etc.; to the Committee on the Merchant Marine and Fisheries.

By Mr. CALDER: Joint resolution (H. J. Res. 296) authorizing the President of the United States to arrange for a conference with representatives of all the maritime nations of the world in regard to establishing a uniform system of inspection of all passenger vessels, to the end that they shall be equipped with suitable life-saving appliances; to the Committee on the Merchant Marine and Fisheries.

By Mr. ALEXANDER: Joint resolution (H. J. Res. 297) to provide for an international agreement to establish lane routes for trans-Atlantic steamships; to the Committee on the Merchant Marine and Fisheries.

Also, joint resolution (H. J. Res. 298) to provide for an international patrol north of trans-Atlantic steamship routes during the period of danger from ice; to the Committee on the Merchant Marine and Fisheries.

By the SPEAKER: Memorial from the Legislature of the State of Arizona, regarding statehood; to the Committee on the Territories.

By Mr. HELGESEN: Memorial of the State of North Dakota, urging Congress to adjust the differences existing between the Post Office Department and the railway mail clerks, that the postal service may be improved; to the Committee on the Post Office and Post Roads.

Also, memorial of the State of North Dakota, favoring Federal inspection of grains and urging the early passage of a bill for such inspection; to the Committee on Agriculture.

Also, memorial of the State of North Dakota, indorsing the granting of pensions to certain enlisted soldiers and officers who served in the Civil War and the War with Mexico, a bill known as the Sulloway bill; to the Committee on Invalid Pensions.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AIKEN of South Carolina: A bill (H. R. 23473) granting a pension to Henrietta Abney; to the Committee on Pensions.

By Mr. ANDRUS: A bill (H. R. 23474) granting an increase of pension to Edward L. Richmond; to the Committee on Invalid Pensions.

By Mr. BOWMAN: A bill (H. R. 23475) granting an increase of pension to Parkerson Perrego; to the Committee on Invalid Pensions.

By Mr. BORLAND: A bill (H. R. 23476) granting an increase of pension to John L. Comstock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23477) granting an increase of pension to Jacob M. Ratcliff; to the Committee on Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 23478) granting a pension to Jennie B. Wright; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 23479) for the relief of the estate of Henry Hutchison; to the Committee on War Claims.

By Mr. CALDER: A bill (H. R. 23480) for the relief of Paul Puttman; to the Committee on Ways and Means.

By Mr. CLARK of Missouri: A bill (H. R. 23481) granting an increase of pension to A. W. Rollins; to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 23482) granting an increase of pension to John McMillen; to the Committee on Invalid Pensions.

By Mr. DAUGHERTY: A bill (H. R. 23483) granting an increase of pension to Samuel S. Tweedy; to the Committee on Invalid Pensions.

By Mr. DANIEL A. DRISCOLL: A bill (H. R. 23484) granting a pension to Robert Cornell, alias Connors; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 23485) granting an increase of pension to Alexander W. Hicks; to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 23486) granting an increase of pension to H. M. C. White; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 23487) granting an increase of pension to Thomas Lane; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 23488) granting an increase of pension to George W. Marston; to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 23489) granting a pension to Sidney E. Haines; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 23490) for the relief of Frank B. Courtade, removing disqualification in making homestead entry; to the Committee on the Public Lands.

By Mr. HENSLEY: A bill (H. R. 23491) for the relief of the heirs of Washington A. McMinn, deceased; to the Committee on War Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 23492) for the relief of George H. Beers and others; to the Committee on War Claims.

By Mr. KNOWLAND: A bill (H. R. 23493) granting a pension to Benjamin F. Klippert; to the Committee on Pensions.

By Mr. LAFEAN: A bill (H. R. 23494) granting a pension to Mary M. Kraft; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 23495) granting an increase of pension to James W. Thacker; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 23496) granting an increase of pension to James M. Laubach; to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 23497) granting an increase of pension to Henry E. Rockafellow; to the Committee on Invalid Pensions.

By Mr. MAHER: A bill (H. R. 23498) granting an increase of pension to Patrick Carey; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 23499) to correct the military record of R. B. Hendrickson; to the Committee on Military Affairs.

By Mr. NORRIS: A bill (H. R. 23500) granting an increase of pension to Walter Smith; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 23501) for the relief of G. A. Siler; to the Committee on War Claims.

Also, a bill (H. R. 23502) granting a pension to William H. Chambers; to the Committee on Invalid Pensions.

By Mr. REYBURN: A bill (H. R. 23503) granting a pension to John F. Klossy; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 23504) granting a pension to Thomas J. Turner; to the Committee on Pensions.

Also, a bill (H. R. 23505) granting a pension to Thomas F. Ryan; to the Committee on Pensions.

By Mr. SMITH of New York: A bill (H. R. 23506) granting a pension to Anna Bishop; to the Committee on Invalid Pensions.

By Mr. SPEER: A bill (H. R. 23507) granting an increase of pension to John E. Wise; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23508) granting an increase of pension to Adelbert M. Beatty; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23509) granting an increase of pension to Jeremiah D. Allen; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 23510) granting a pension to Ada M. Wade; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23511) granting an increase of pension to George Hall; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 23512) granting an increase of pension to Ellen Coen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23513) granting an increase of pension to David W. Wright; to the Committee on Invalid Pensions.

By Mr. WEEKS: A bill (H. R. 23514) granting an increase of pension to Thomas B. Loud; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Chu Kam Wing and Chu Shing Cheuk, of Yokohama, relative to attitude of the Republic of China toward the United States; to the Committee on Foreign Affairs.

By Mr. ANDRUS: Petition of citizens of Hastings upon Hudson and Harrison, N. Y., favoring passage of House bill 16819, known as the Griest bill, which provides for a free delivery of mail matter in towns outside of incorporated cities and villages; to the Committee on the Post Office and Post Roads.

Also, petition of Thomas H. Fitzgerald Camp, No. 79, United Spanish War Veterans, Department of New York, White Plains, N. Y., and of Vicinity Council, United Spanish War Veterans Camp, White Plains, N. Y., favoring passage of House bill 17470, to pension widows and minor children of Spanish War veterans; to the Committee on Pensions.



Also, petition of citizens of the State of New York, favoring passage of bill providing for the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of the Brotherhood of the First Congregational Church, Mount Vernon, N. Y., favoring passage of a parcel-post law; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Petition of Ben. F. McMillen and 2 other citizens of Newark, Ohio, against the passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of Charles Winger, of New Philadelphia, Ohio, and 30 members of the Order of United Mine Workers of America, asking for the construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. AYRES: Petition of citizens of New York City, favoring Senate bill 3353, for the erection of an Indian memorial building; to the Committee on Public Buildings and Grounds.

Also, petition of citizens of New York, favoring passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, memorial of Colonial Council No. 43, Bronx, N. Y., favoring passage of illiteracy test of immigration bill; to the Committee on Immigration and Naturalization.

By Mr. BURKE of Wisconsin: Petition of Stadtverband, of Milwaukee, and Appleton Mannerchor, of Appleton, Wis., against the passage of all prohibition or interstate-commerce liquor bills now pending; to the Committee on the Judiciary.

By Mr. BYRNS of Tennessee: Papers to accompany bill for the relief of the estate of Henry Hutchison; to the Committee on War Claims.

By Mr. CALDER: Memorial of Cape Cod and Provincetown flounder fishermen, relative to proposed legislation affecting that industry; to the Committee on the Merchant Marine and Fisheries.

Also, petition of F. P. Seymour, of New York City, protesting against legislation to abolish privileges that manufacturers enjoy in maintaining uniform retail prices on patented articles; to the Committee on Patents.

Also, memorial of the New York State Grange, Patrons of Husbandry, favoring passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of B. H. Howell, Sons & Co., of New York, and of Mark C. Harris & Co., Ed. V. Price & Co., the International Tailoring Co., and the Progress Tailoring Co., of Chicago, Ill., against House bill 16844, providing for the placing of all manufacturers' names on all labels; to the Committee on Interstate and Foreign Commerce.

Also, petition of S. E. Perlberg & Co., of Chicago, Ill., against passage of House bill 16844, providing for the placing of manufacturers' names on all labels; to the Committee on Interstate and Foreign Commerce.

Also, petition of E. E. Royston & Co., wholesale grocers, of Aurora, Ill.; of Henry Horner & Co., of Chicago, Ill.; of Crocker Grocery Co., of Wilkes-Barre, Pa.; and of Thomas C. Jenkins, of Pittsburgh, Pa., favoring passage of House bill 4667, the Stevens weights and measures bill; to the Committee on Interstate and Foreign Commerce.

By Mr. CATLIN: Petition of William A. Crinley and J. W. Cotter, of St. Louis, Mo., favoring the passage of House bill 20595, to amend the copyright act of 1909; to the Committee on Patents.

By Mr. DAUGHERTY: Petition of Ozark Presbyterian Church, Mount Vernon, Mo., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of the State of Missouri, favoring bill for building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. DRAPER: Memorial of the Chamber of Commerce of the State of New York, relative to operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Memorial of the Chamber of Commerce of the State of New York, relative to operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Memorial of the Columbia Heights Citizens' Association, requesting the building of a school at Newton and Warder Streets, Park View subdivision, Washington, D. C.; to the Committee on the District of Columbia.

Also, memorial of the board of education of the city and county of San Francisco, Cal., urging the continuance in operation of the San Francisco Mint on the basis of its present operation; to the Committee on Coinage, Weights, and Measures.

Also, memorial of the Board of Trade of Portland, Me., against every action to abolish the Bureau of Manufactures; to the Committee on Appropriations.

Also, resolution of the State Federation of Pennsylvania Women, recommending the appropriation of \$105,000 for the pier at the Philadelphia Immigrant Station, Gloucester City, N. J.; to the Committee on Appropriations.

By Mr. FLOYD of Arkansas: Papers to accompany bill for the relief of H. M. C. White; to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of citizens of Streator, Ill., for the creation of a national department of health; to the Committee on Interstate and Foreign Commerce.

By Mr. HARTMAN: Petition of Empire Grange, No. 1126, Patrons of Husbandry, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

Also, petition of residents of Tyrone, Pa., protesting against proposed legislation to establish a department of public health; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYES: Petition of the Civic Center of Berkeley, Cal., for a special appropriation for more effectively enforcing the white-slave traffic act; to the Committee on Appropriations.

Also, petition of Santa Clara Valley Creamery Co., Santa Clara; of the Model Cream & Butter Co. (Inc.), of San Jose; and of the California Creamery Operators' Association, Alameda, Cal., favoring passage of House bill 21225, to make oleomargarine and butter of different color; to the Committee on Agriculture.

Also, petition of J. J. Jenkins, of Los Angeles, Cal., urging passage of parcel-post law; to the Committee on the Post Office and Post Roads.

Also, petition of M. P. Boynton, San Jose, Cal., favoring passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the Chamber of Commerce of Sacramento, Cal., favoring passage of bill for more effective quarantine legislation; and of the Gold Nugget Butter Co., of San Jose, Cal., favoring passage of House bill 21225, to make oleomargarine and butter of different color; to the Committee on Agriculture.

Also, petition of the Berryessa Improvement Club, San Jose, Cal., favoring passage of bill for an appropriation for the maintenance of Yosemite Valley, etc.; to the Committee on the Public Lands.

By Mr. HELGESEN: Petitions of citizens of the State of North Dakota, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the State of North Dakota, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of members of the North Dakota National Guard for enactment of House bill 8141; to the Committee on Military Affairs.

Also, letters from 50 farmers of North Dakota, urging passage of a parcel-post bill; to the Committee on the Post Office and Post Roads.

Also, petition of the Woman's Christian Temperance Union of Mayville, Traill County; of St. Olof's Lutheran Congregation, Devils Lake, Ramsey County; and of citizens of Rainy Butte, Walhalla, Cavalier, and other towns, all in the State of North Dakota, urging passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, resolution of the Commercial Club of Hettinger, N. Dak., urging passage of House bill 14928, to provide for increased annual appropriations to the several States for the agricultural colleges; to the Committee on Agriculture.

By Mr. HUMPHREY of Washington: Petition of residents of the State of Washington, for enactment of House bill 14, providing for a general parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. LAFEAN: Petition of Paradise Grange, No. 1448, county of York, State of Pennsylvania, favoring passage of House bill 19133, which provides for a Government system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. LINDSAY: Memorial of the Chamber of Commerce of the State of New York, relative to operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of C. P. Griffin, of Brooklyn, N. Y., for enactment of House bill 9242; to the Committee on Reform in the Civil Service.

By Mr. LINTHICUM: Petition of residents of Baltimore, Md., for old-age pensions; to the Committee on Pensions.

By Mr. LOUD: Petition of Robert Rochow and 85 other citizens of Bay City, Mich., favoring passage of the Berger old-age pension bill; to the Committee on Pensions.

By Mr. McHENRY: Petition of Progress Grange, No. 1396, Patrons of Husbandry, Elysburg, Pa.; Valley Grange, No. 52, Patrons of Husbandry, Millville, Pa.; Center Grange, No. 56,

Patrons of Husbandry, Lime Bridge, Pa., favoring passage of House bill 19133, providing for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. MAHER: Petition of the Chamber of Commerce of the State of New York, against passage of bill to prohibit the use of Panama Canal by any steamship company in which any railroad has an interest; to the Committee on Interstate and Foreign Commerce.

By Mr. MOON of Tennessee: Papers to accompany bill to correct the military record of R. B. Hendrixson; to the Committee on Military Affairs.

By Mr. PARRAN: Papers to accompany bill for the relief of Ella J. Belt (H. R. 22699); to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of Samuel Henson (H. R. 22805); to the Committee on Claims.

By Mr. RAKER: Resolutions and letters of the board of supervisors of Siskiyou County, Cal.; the Sisson Promotion Association of Sisson; and E. H. Keupp and Otto L. Haese, of Sisson, Cal., to accompany House bill 22353, to establish the Mount Shasta National Park in Siskiyou County; to the Committee on the Public Lands.

Also, memorial of the Chamber of Commerce of New York, urging that the Panama Canal should be open to all tonnage irrespective of ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. REILLY: Memorial of the New England Shoe and Leather Association, opposing the abolishment or transfer of the Bureau of Manufactures; to the Committee on Appropriations.

Also, petition of the Order of Railway Conductors, for enactment of House bill 20487; to the Committee on the Judiciary.

By Mr. ROUSE: Memorial of the Spanish War Veterans of Newport, Ky., for passage of bill to pension widows and minor children of Spanish War veterans; to the Committee on Pensions.

By Mr. SULZER: Petition of Urban A. Walter, of Denver, Colo., for legislation permitting direct petition of civil-service employees; to the Committee on Reform in the Civil Service.

Also, memorial of the Chamber of Commerce of the State of New York relative to operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the New Orleans (La.) Progressive Union for legislation to promote the efficiency of the foreign service of the United States; to the Committee on Foreign Affairs.

Also, memorial of the Madera County (Cal.) Chamber of Commerce relative to utilizing the flood waters of the San Joaquin River, Cal.; to the Committee on Interstate and Foreign Commerce.

By Mr. TAGGART: Petition of citizens of the State of Kansas for removal of the dam in the Kansas River at Lawrence, Kans.; to the Committee on Interstate and Foreign Commerce.

By Mr. TOWNER: Petition of J. W. Chitty and others, of Gravity, Iowa, against the passage of a parcel-post law; to the Committee on the Post Office and Post Roads.

By Mr. WEEKS: Petition of members of the Methodist Episcopal Church, of Millville, Mass., favoring House joint resolution 163; to the Committee on the Judiciary.

By Mr. WILSON of New York: Memorial of the Chamber of Commerce of the State of New York against passage of bill to prohibit use of Panama Canal by any steamship company in which any railroad has an interest; to the Committee on Interstate and Foreign Commerce.

## SENATE.

THURSDAY, April 18, 1912.

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 16306) to provide for the use of the American National Red Cross in aid of the land and naval forces in time of actual and threatened war.

### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 244. An act extending the operation of the act of June 22, 1910, to coal lands in Alabama;

S. 5059. An act granting school lands to Louisiana;

H. R. 19638. An act to authorize the San Antonio, Rockport & Mexican Railway Co. to construct a bridge across the Morris and Cummings Channel;

H. R. 20117. An act to authorize the Nebraska-Iowa Interstate Bridge Co. to construct a bridge across the Missouri River near Bellevue, Nebr.; and

H. R. 21821. An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa.

### PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a telegram in the nature of a petition signed by the mayors of 26 cities of New York, praying for the enactment of legislation requiring every passenger vessel leaving a port of the United States to be equipped with lifeboats or rafts sufficient to accommodate every person on board, which was referred to the Committee on Commerce.

He also presented petitions of the congregations of the Orson Church of Pennsylvania; the Congregational Church of Charlton, Mass.; and the Government Street Methodist Episcopal Church South, of Mobile, Ala.; and of the Woman's Christian Temperance Union of Mansfield, Mass., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of Local Granges No. 284, of Georges Mills; No. 170, of Bedford; No. 218, of Woodsville; No. 212, of Haverhill; and No. 95, of New London, all of the Patrons of Husbandry, in the State of New Hampshire, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of Local Grange No. 273, Patrons of Husbandry, of London, N. H., and a memorial of Lawrence Grange, No. 117, Patrons of Husbandry, of Belmont, N. H., remonstrating against the repeal of the oleomargarine law, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of Phil Sheridan Post, No. 6, Department of the Potomac, Grand Army of the Republic, of Washington, D. C., praying for the enactment of legislation to give preference in the civil service to those who have been honorably discharged from the military or naval service of the United States, which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of Local Lodge No. 537, Brotherhood of Railroad Trainmen, of Concord, N. H., praying for the enactment of legislation to provide an exclusive remedy and compensation for accidental injuries, resulting in disability or death, to employees of common carriers by railroad engaged in interstate or foreign commerce, or in the District of Columbia, and for other purposes, which was ordered to lie on the table.

Mr. OLIVER presented a memorial signed by 4,231 citizens of Pennsylvania and a memorial of Pennsylvania Branch of the National League for Medical Freedom, representing 5,000 citizens of Pennsylvania, remonstrating against the establishment of a department of public health, which were ordered to lie on the table.

He also presented a petition of Charles Young Camp, No. 27, Department of Pennsylvania, United Spanish War Veterans, of Philadelphia, Pa., praying for the enactment of legislation to pension widow and minor children of any officer or enlisted man who served in the War with Spain or the Philippine Insurrection, which was referred to the Committee on Pensions.

He also presented a petition of Washington Camp, No. 88, Patriotic Order Sons of America, of Renovo, Pa., praying for the enactment of legislation to further restrict immigration, which was ordered to lie on the table.

He also presented a petition of Local Grange No. 875, Patrons of Husbandry, of Columbus, Pa., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which was referred to the Committee on the Judiciary.

Mr. WETMORE presented a petition of the Pawtucket and Blackstone Valley Building and Trades Council, of Rhode Island, praying for the enactment of legislation to provide an exclusive remedy and compensation for accidental injuries resulting in disability or death to employees of common carriers by railroads engaged in interstate or foreign commerce, or in the District of Columbia, and for other purposes, which was ordered to lie on the table.

He also presented a petition of members of the Rhode Island Society for the Prevention of Cruelty to Animals, praying for the enactment of legislation to regulate the interstate transportation of immature calves, which was referred to the Committee on Interstate Commerce.